

Strategy and Assets Committee

Meeting Date: Tuesday, 09 February, 2021
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

Membership (Quorum - 5)
Clr John Wells - Chairperson
Clr Bob Proudfoot
All Councillors
Chief Executive Officer or nominee

Please note: The proceedings of this meeting (including presentations, deputations and debate) will be webcast and may be recorded and broadcast under the provisions of the Code of Meeting Practice. Your attendance at this meeting is taken as consent to the possibility that your image and/or voice may be recorded and broadcast to the public.

Agenda

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4. **Mayoral Minute**
5. **Deputations and Presentations**
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8. Confidential Reports

Reports

CSA21.1	Tenders - Stage 2 Works - St Anns Sewer Rising Main Replacement <i>Local Government Act - Section 10A(2)(d)(i) - Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.</i> <i>There is a public interest consideration against disclosure of information as disclosure of the information could reasonably be expected to reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional or financial interests.</i>
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Strategy and Assets Committee

Delegation:

Pursuant to s377(1) of the *Local Government Act 1993* (LG Act) the Committee is delegated the functions conferred on Council by the LG Act any other Act or delegated to Council, as are specified in the Schedule, subject to the following limitations:

- i. The Committee cannot exercise any function delegated to the Council which by the terms of that delegation cannot be sub-delegated;
- ii. The Committee cannot exercise any function which s377(1) of the LG Act provides cannot be delegated by Council;
- iii. The Committee cannot exercise a function which is expressly required by the LG Act or any other Act to be exercised by resolution of the Council; and
- iv. The Committee cannot exercise any function which is a function of the General Manager under s335 of the LG Act.

SCHEDULE

- a. Make recommendations to Council and consider, formulate, review and adopt policies in relation to Council's corporate & community planning under Part 2 of Chapter 13 of the LG Act, asset management and in connection with the other functions listed in this Schedule and in particular to make recommendations to Council in respect of the content of Council's community strategic plan, delivery program, operational plan, and resourcing strategy within the meaning of Part 2 of Chapter 13 of the LG Act;
- b. Make recommendations to Council and consider, formulate, review and adopt Council policies, plans and strategies other than those in respect of town planning and environmental matters, and any other matter referred to the Committee by the Chief Executive Officer;
- c. Make recommendations in respect of the introduction of new fees or charges or the alteration of existing fees and charges for inclusion in the Council's next operational plan within the meaning of s405 of the LG Act;
- d. Monitor, review and consider matters relating to the operations and strategic direction of Council's Holiday Haven Tourist Parks Group;
- e. All functions in respect of the management of, and facilities provided on Crown Land in respect of which Council is the 'Crown Land Manager' under Division 3.4 of the *Crown Lands Management Act 2016* and the making of recommendations to Council regarding such matters where the function is not dealt with under the delegations to the Chief Executive Officer or cannot be delegated by Council;
- f. Provision of corporate direction to Shoalhaven Water in respect of powers delegated to it by Council regarding the construction, alteration or maintenance of water and sewerage works, effluent works and pump out removal;
- g. Authorise the expenditure of funds raised under s64 of the LG Act within the limits outlined in, and in accordance with Council's adopted Development Servicing Plan and other relevant adopted Council policies;
- h. Make recommendations to Council in respect of fees and charges for water and wastewater services provided by Council;
- i. Develop, implement, review and adopt strategic policies for water, sewerage and effluent operations of Council;
- j. Undertake preliminary investigations (feasibility, cost benefit, risk analysis, etc.) into development opportunities for Council's strategic land holdings and make recommendations to Council;

- k. Review and make recommendations to Council in relation to:
- i. The sale prices of land in connection with residential and industrial Council subdivisions;
 - ii. The sale of Council property or the purchase or resumption of land;
 - iii. The compensation to be offered in respect of land resumed by Council; and
 - iv. Properties leased/rented by Council, or properties leased/rented from Council other than those delegated to the Chief Executive Officer for approval and execution in accordance with MIN14.912 and MIN15.237 of the Council.
- Note: MIN14.912 delegates authority to the Chief Executive Officer to approve and execute leases and licences that are for a maximum term of 5 years; and are in accordance with current policies and relevant legislation; and have an annual rental of \$5,000 or less; and have not been objected to as a result of the public exhibition process (Community Land).*
- In addition, MIN14.912 delegates authority to the Chief Executive Officer to approve and execute telecommunications licences where the agreement relates to an existing telecommunication site.*
- Note: MIN15.237 delegates authority to the Chief Executive Officer to approve and finalise all lease negotiations in relation to the properties now managed by Integrity Real Estate ... and to sign any documents necessary to give effect to this resolution.*
- l. To determine and accept all tenders with a value of \$1 Million or more with the following exceptions (MIN17.334):
- i. Those tenders required by law to be determined by full Council (MIN17.334),
 - ii. Those tenders where the recommendation is to not accept any tender (which will be reported directly to Ordinary) (GD19.164).

MINUTES OF THE STRATEGY AND ASSETS COMMITTEE

Meeting Date: Tuesday, 19 January 2021
Location: Council Chambers, City Administrative Centre, Bridge Road, Nowra
Time: 5.00pm

The following members were present:

Clr John Wells - Chairperson
Clr Amanda Findley
Clr Joanna Gash
Clr Patricia White
Clr Nina Digiglio
Clr John Levett
Clr Greg Watson
Clr Mark Kitchener
Clr Bob Proudfoot
Mr Stephen Dunshea - Chief Executive Officer

Apologies / Leave of Absence

Apologies were received from Clr Guile, Clr Pakes, Clr Gartner and Clr Alldrick.

Confirmation of the Minutes

RESOLVED (Clr Digiglio / Clr White) MIN21.10

That the Minutes of the Strategy and Assets Committee held on Tuesday 08 December 2020 be confirmed.

CARRIED

Declarations of Interest

Clr Levett – SA21.3 Notice of Motion - Traffic Safety Measures - Wool Road Area, Old Erowal Bay – Less than significant non pecuniary interest declaration – Will remain in the room and will take part in discussion and vote – He is a resident of Old Erowal Bay.

Clr Findley – SA21.13 Acquisition of Easement - Sewer Purposes - 1 Dolphin Street Ulladulla - Less than significant non pecuniary interest declaration – Will leave the room and will not take part in discussion or vote – The community member occupying the property is known to her.

MAYORAL MINUTES

Nil

DEPUTATIONS AND PRESENTATIONS

SA21.3 - Notice of Motion - Traffic Safety Measures - Wool Road Area, Old Erowal Bay FOR

Toby Bateman

SA21.9 - Concept Design - Bay and Basin Skate Park FOR

Leonard Parsons

NOTICES OF MOTION / QUESTIONS ON NOTICE

SA21.1	Notice of Motion - Site Investigations - South Nowra/Worrigee Aquatic Centre	HPERM Ref: D21/3633
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Recommendation (Item to be determined under delegated authority)

That:

1. The CEO undertake site identification investigations with a view to finding the most appropriate site to construct an aquatic facility (swimming pool) in the Worrigee/South Nowra area, and report back to Council when the investigations are complete.
2. Once a site has been identified the CEO also report to Council on a source of funding to enable project scoping and preliminary design of the proposed facility.

MOTION (Clr Watson / Clr Proudfoot)

That:

1. The CEO undertake site identification investigations with a view to finding the most appropriate site to construct an aquatic facility (swimming pool) in the Worrigee/South Nowra area, and report back to Council when the investigations are complete.
2. Once a site has been identified the CEO also report to Council on a source of funding to enable project scoping and preliminary design of the proposed facility.
3. Council give consideration to the possibility of a private-public partnership in respect of the development of the facility.

Clr Watson raised a Point of Order against Clr Findley for incorrectly stating that he is leader of a political party. The Chairperson requested Clr Findley avoid name-calling, but did not rule on the Point of Order.

Clr Proudfoot raised a Point of Order against Clr Gash for stating that he is against community consultation. The Chairperson ruled it as a Point of Order, as Clr Proudfoot stated he had intended there be subsequent community consultation, and asked Clr Gash to continue the debate.

Clr Findley raised a Point of Order against Clr Watson under Section 15.3, for using the phrase

“sneaky amendments” which casts aspersions on the character of the Councillors who sponsored the amendment, and asked that it be withdrawn and that there be an apology. Clr Watson immediately apologised and withdrew the comment. The Chairperson ruled it as a Point of Order and asked Clr Watson to delete and not use again the word “sneaky” in relation to the amendment. Clr Watson reiterated his apology and clarified he was not referring to Clr Findley’s and Clr Digiglio’s amendment.

Clr Digiglio and Clr Gash raised Point of Order, requesting they be able to speak as they had not heard the Chairperson call for the right of reply. The Chairperson confirmed that Clr Watson had stated he was taking the right of reply, and as this had been accepted by the Chairperson he ruled against the Point of Order.

AMENDMENT (Clr Digiglio / Clr Findley)

That:

1. The CEO undertake site identification investigations with a view to finding the most appropriate site to construct an aquatic facility (swimming pool) in the Worrigee/South Nowra area, and report back to Council when the investigations are complete.
2. Once a site has been identified the CEO also report to Council on a source of funding to enable project scoping and preliminary design of the proposed facility.
3. Council give consideration to the possibility of a public-private partnership in the development of the facility.
4. Council conduct community consultation to establish the infrastructure that the residents of Worrigee/South Nowra would prefer in their region.

FOR: Clr Findley, Clr Gash, Clr Digiglio, Clr Levett and Stephen Dunshea

AGAINST: Clr Wells, Clr White, Clr Watson, Clr Kitchener and Clr Proudfoot

LOST on the CASTING VOTE of the chair

Clr Watson raised a Point of Order under Section 15.11 against Clr Findley for making comments about the Shoalhaven Independents that are not part of the debate. Clr Findley clarified it had been part of the earlier debate, and she had raised this as part of her apology to Clr Proudfoot to check whether he had been offended by it. The Chairperson did not rule on the Point of Order.

FURTHER AMENDMENT (Clr Gash / Clr Findley)

That:

1. The CEO undertake site identification investigations with a view to finding the most appropriate site to construct an aquatic facility (swimming pool) and potentially other recreational facilities in the Worrigee/South Nowra area, and report back to Council when the investigations are complete.
2. Once a site has been identified the CEO also report to Council on a source of funding to enable project scoping and preliminary design of the proposed facility.
3. Council give consideration to the possibility of a public-private partnership in the development of the facility.

FOR: Clr Findley, Clr Gash, Clr Digiglio, Clr Levett and Stephen Dunshea

AGAINST: Clr Wells, Clr White, Clr Watson, Clr Kitchener and Clr Proudfoot

LOST on the CASTING VOTE of the chair

MOTION (RESOLVED) (Clr Watson / Clr Proudfoot)

MIN21.11

That:

1. The CEO undertake site identification investigations with a view to finding the most appropriate site to construct an aquatic facility (swimming pool) in the Worrigee/South Nowra area, and report back to Council when the investigations are complete.
2. Once a site has been identified the CEO also report to Council on a source of funding to enable project scoping and preliminary design of the proposed facility.
3. Council give consideration to the possibility of a private-public partnership in respect of the development of the facility.

FOR: Clr Wells, Clr Findley, Clr Gash, Clr White, Clr Digiglio, Clr Watson, Clr Kitchener, Clr Proudfoot and Stephen Dunshea

AGAINST: Clr Levett

CARRIED

Procedural Motion - Matters of Urgency

MOTION (Clr Watson)

That an additional item requesting Council to undertake a survey of the South Nowra, Worrigee and East Nowra areas to identify needed facilities be introduced as a matter of urgency.

The Chairperson ruled the matter as urgent as it is in the public interest.

SA21.15 Survey - South Nowra, Worrigee and East Nowra - Facilities

RESOLVED (Clr Watson / Clr Findley)

MIN21.12

That Council undertake a survey of the South Nowra, Worrigee & East Nowra areas to identify needed facilities.

CARRIED

SA21.2 Notice of Motion - Investigations Regarding the Urgent Provision of Overflow Carparking - Basin View Boat Ramp

**HPERM Ref:
D21/10021**

Recommendation (Item to be determined under delegated authority)

That the CEO undertake urgent investigations regarding the provision of additional carparking at the Basin View Boat Ramp and report back to Council.

RESOLVED (Clr Watson / Clr Proudfoot)

MIN21.13

That the CEO undertake urgent investigations regarding the provision of additional carparking at the Basin View Boat Ramp and report back to Council.

CARRIED

Clr Watson raised a Point of Order against Clr Findley under Section 15.11, requesting that she withdraw the comment that he is "willing to cut down trees to park cars", and apologise. Clr Findley immediately apologised and withdrew the comment. The Chairperson did not rule on the Point of Order.

SA21.3 Notice of Motion - Traffic Safety Measures - Wool Road Area, Old Erowal Bay

**HPERM Ref:
D21/11030**

Clr Levett – Less than significant non pecuniary interest declaration – Remained in the room and took part in discussion and voted – He is a resident of Old Erowal Bay.

Recommendation (Item to be determined under delegated authority)

That Council investigate costing and funding for the following traffic safety measures in the Wool Road area at Old Erowal Bay and provide a report back to a future Strategy & Assets Committee Meeting:

1. Construction of a roundabout at the intersection of Macgibbon Parade and the Wool Road.
2. Construction of a dedicated right turn lane for traffic heading north on the Wool Road to turn into Mernie Street.
3. Stop signs at both Tibbles and Christiansen Avenues where they intersect Mernie Street for traffic travelling south.
4. Reduction of the speed limit on the Wool Road between Naval College Road roundabout and the Larmer Avenue roundabout from 70 to 60km per hour.
5. The installation of a pedestrian crossing where the shared pathway on the west side of the Wool Road ends at the shoulder of that road about 50 metres south of Naval College Road. This would allow pedestrians and mobility scooter drivers safe access across the Wool Road to the continuation of the shared pathway on the east side.

RESOLVED (Clr Levett / Clr Proudfoot)

MIN21.14

That Council investigate costing and funding for the following traffic safety measures in the Wool Road area at Old Erowal Bay and provide a report back to a future Strategy & Assets Committee Meeting:

1. Construction of a roundabout at the intersection of Macgibbon Parade and the Wool Road.
2. Construction of a dedicated right turn lane for traffic heading north on the Wool Road to turn into Mernie Street.
3. Stop signs at both Tibbles and Christiansen Avenues where they intersect Mernie Street for traffic travelling south.
4. Reduction of the speed limit on the Wool Road between Naval College Road roundabout and the Larmer Avenue roundabout from 70 to 60km per hour.
5. The installation of a pedestrian crossing where the shared pathway on the west side of the Wool Road ends at the shoulder of that road about 50 metres south of Naval College Road. This would allow pedestrians and mobility scooter drivers safe access across the Wool Road to the continuation of the shared pathway on the east side.

CARRIED

SA21.4 Notice of Motion - Call in Development Applications DA20/2322 and DA20/2190

**HPERM Ref:
D21/11192**

Recommendation (Item to be determined under delegated authority)

That the following Development Applications be called in to Council for determination in response to considerable public concern:

1. DA20/2322 – 12, 14 & 16 The Wool Road and 5 Burton Street, Vincentia – Demolition of Existing Structures and Construction of Hotel Accommodation with Ancilliary bar/bistro and function centre
2. DA20/2190 – 268 Parma Road, Parma – Construction of Shed for use as Rural Industry (Handling, Treating, Processing, Storing and Packing Honey)

RESOLVED (Clr Levett / Clr Proudfoot)

MIN21.15

That the following Development Applications be called in to Council for determination in response to considerable public concern:

1. DA20/2322 – 12, 14 & 16 The Wool Road and 5 Burton Street, Vincentia – Demolition of Existing Structures and Construction of Hotel Accommodation with Ancilliary bar/bistro and function centre
2. DA20/2190 – 268 Parma Road, Parma – Construction of Shed for use as Rural Industry (Handling, Treating, Processing, Storing and Packing Honey)

CARRIED

REPORTS

SA21.5 Application for Community Consultative Body Council Accreditation - Sassafras and Districts Progress Association

HPERM Ref: D20/553591

Recommendation (Item to be determined under delegated authority)

That Council support the application from Sassafras and Districts Progress Association to become a Council accredited Community Consultative Body.

RESOLVED (Clr Findley / Clr Wells)

MIN21.16

That Council support the application from Sassafras and Districts Progress Association to become a Council accredited Community Consultative Body.

CARRIED

SA21.6 Extension of the Interest-Free Period on Rates & Charges until 30 June 2021

HPERM Ref: D21/5186

Recommendation

That Council:

1. Amend the interest rate on overdue rates and charges to 0% for the period 1 January 2021 to 30 June 2021.
2. Endorses further suspension of debt recovery action until 30 June 2021 with the exception of outstanding recoveries for damage caused to Council property and motor vehicles.
3. Endorses commencement of debt recovery action of the outstanding recovery claims – noting that these balances relate to the recovery of costs incurred by Council as the result of third parties damaging Council property and motor vehicles.

RECOMMENDATION (Clr Proudfoot / Clr White)

That Council:

1. Amend the interest rate on overdue rates and charges to 0% for the period 1 January 2021 to 30 June 2021.
2. Endorses further suspension of debt recovery action until 30 June 2021 with the exception of outstanding recoveries for damage caused to Council property and motor vehicles.
3. Endorses commencement of debt recovery action of the outstanding recovery claims – noting that these balances relate to the recovery of costs incurred by Council as the result of third parties damaging Council property and motor vehicles.

CARRIED

SA21.7 Ordinary Council Meeting Date - January 2021

HPERM Ref: D21/9706

Recommendation (Item to be determined under delegated authority)

That Council reschedule the January 2021 Ordinary Meeting of Council to Wednesday 27 January 2021 commencing at 5.00pm in the Council Chambers, Nowra Administrative Centre, Bridge Road, Nowra.

MOTION (Clr Findley / Clr Digiglio)

MIN21.17

That Council reschedule the January 2021 Ordinary Meeting of Council to Wednesday 27 January 2021 commencing at 5.00pm in the Council Chambers, Nowra Administrative Centre, Bridge Road, Nowra.

FOR: Clr Findley, Clr Digiglio, Clr Levett and Stephen Dunshea

AGAINST: Clr Wells, Clr Gash, Clr White, Clr Watson, Clr Kitchener and Clr Proudfoot

LOST

SA21.8 Chinamans Island - Lake Conjola - Update - Cottage Management Options

HPERM Ref: D20/399879

Recommendation (Item to be determined under delegated authority)

That Council:

1. Receive the report providing an update on the occupancies on Chinamans Island in accordance with MIN19.872 Part 2; noting the following are presented as the management options in regard to the cottages and occupancies:
 - a. Continued Department Primary Industries & Environment – Crown Lands (DPIE) management, however recognising DPIE's intention to demolish the cottages, remediate and make good, and return the island to open public space.
 - b. Council assume management of the land comprising the cottages (destroyed and current) by way of the following, and noting either could be restricted by Native Title legislation and/or Aboriginal Land Claims:
 - i. Management function; or
 - ii. Appointment as Crown land manager
 - c. DPIE (Crown Lands) appoint another entity or person to manage other than Council noting it is not an option being considered by DPIE.
2. Take no further action at this time.

RESOLVED (Clr White / Clr Proudfoot)

MIN21.18

That Council:

1. Receive the report providing an update on the occupancies on Chinamans Island in accordance with MIN19.872 Part 2; noting the following are presented as the management options in regard to the cottages and occupancies:
 - a. Continued Department Primary Industries & Environment – Crown Lands (DPIE) management, however recognising DPIE's intention to demolish the cottages, remediate and make good, and return the island to open public space.
 - b. Council assume management of the land comprising the cottages (destroyed and current) by way of the following, and noting either could be restricted by Native Title legislation and/or Aboriginal Land Claims:
 - i. Management function; or
 - ii. Appointment as Crown land manager
 - c. DPIE (Crown Lands) appoint another entity or person to manage other than Council noting it is not an option being considered by DPIE.
2. Take no further action at this time.

CARRIED

SA21.9 Concept Design - Bay and Basin Skate Park

HPERM Ref:
D20/546127

Recommendation (Item to be determined under delegated authority)

That Council:

1. Adopt the Final Concept Design Report for the Bay and Basin Skate Park.
2. Progress the project to Detailed Design stage.

RESOLVED (Clr White / Clr Digiglio)

MIN21.19

That Council:

1. Adopt the Final Concept Design Report for the Bay and Basin Skate Park.
2. Progress the project to Detailed Design stage.

CARRIED

SA21.10 Outcomes of Site Investigation and Proposed Next Steps - Berry Spinners and Weavers

HPERM Ref:
D20/554984

Recommendation (Item to be determined under delegated authority)

That Council:

1. Endorse Lot 3 DP 840080 Station Road, Berry as the location for a new multipurpose community facility to house the Berry Spinners and Weavers.
2. Utilise a budget of \$15,000 to prepare designs and other required documentation to submit a Development Application from an existing Community and Recreation Budget.
3. Proceed to lodgement of a Development Application for a new community facility on the subject site.

4. Include these plans in the Master Planning process for Berry Showground.

RESOLVED (Clr Watson / Clr White)

MIN21.20

That Council:

1. Endorse Lot 3 DP 840080 Station Road, Berry as the location for a new multipurpose community facility to house the Berry Spinners and Weavers.
2. Give serious consideration to utilising a modified mobile home for the community facility.
3. Utilise a budget of \$15,000 to prepare designs and other required documentation to submit a Development Application from an existing Community and Recreation Budget.
4. Proceed to lodgement of a Development Application for a new community facility on the subject site.
5. Include these plans in the Master Planning process for Berry Showground.

CARRIED

**SA21.11 Part 2: Moss Vale Road Urban Release Area -
Wastewater Infrastructure - Review of Environmental
Factors**

**HPERM Ref:
D20/562063**

Recommendation (Item to be determined under delegated authority)

That Council, after consideration of the Review of Environmental Factors (REF) for the Proposed Moss Vale Road URAs Part 2: Moss Vale Road Wastewater Infrastructure project at Cambewarra, dated December 2020:

1. Determine that it is unlikely that there will be any significant environmental impact as a result of the proposed works and an Environmental Impact Statement is therefore not required for the proposed activity.
2. Adopt and implement the proposed mitigation measures and controls outlined in the REF.

RESOLVED (Clr Proudfoot / Clr White)

MIN21.21

That Council, after consideration of the Review of Environmental Factors (REF) for the Proposed Moss Vale Road URAs Part 2: Moss Vale Road Wastewater Infrastructure project at Cambewarra, dated December 2020:

1. Determine that it is unlikely that there will be any significant environmental impact as a result of the proposed works and an Environmental Impact Statement is therefore not required for the proposed activity.
2. Adopt and implement the proposed mitigation measures and controls outlined in the REF.

CARRIED

Procedural Motion

MOTION (Clr Watson / Clr Digiglio)

That Items SA21.12 to SA21.14 be resolved en bloc.

CARRIED

Note: Clr Findley left the meeting at 6.49pm

Items marked with an * were resolved 'en bloc'.

SA21.12	Acquisition of Easement - Sewer Purposes - 45 Bannister Head Road Mollymook Beach - Lot 724 DP 231243	HPERM Ref: D20/533966
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RECOMMENDATION* (Clr Watson / Clr Digiglio)

That:

1. Council acquire an Easement for sewerage purposes 2 metres wide over part of Lot 724 DP 231243, No. 45 Bannister Head Road Mollymook Beach shown highlighted on Attachment 1.
2. Council pay compensation of \$31,000 plus GST if applicable and reasonable legal costs associated with the acquisition to the owner in accordance with the provision of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer Fund.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

SA21.13	Acquisition of Easement - Sewer Purposes - 1 Dolphin Street Ulladulla - Lot 19 DP 24534	HPERM Ref: D20/537374
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Clr Findley – Less than significant non pecuniary interest declaration – Left the room and did not take part in discussion or vote – The community member occupying the property is known to her.

RECOMMENDATION* (Clr Watson / Clr Digiglio)

That:

1. Council acquire an Easement for sewerage purposes 2.4 metre wide over part of Lot 19 DP 24534, No.1 Dolphin Street Ulladulla shown highlighted on attached copy of the sketch.
2. Council pay compensation of \$25,000, plus GST if applicable and reasonable legal costs associated with the acquisition to the owner in accordance with the provision of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer Fund.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

SA21.14	Acquisition of Easement - Sewer Purposes - 30 Hollywood Avenue Ulladulla - Lot 52 DP 261132	HPERM Ref: D21/1509
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RECOMMENDATION* (Clr Watson / Clr Digiglio)

That:

1. Council acquire an Easement for sewerage purposes 2.4 metres wide over part of Lot 52 DP 261132, No. 30 Hollywood Avenue, Ulladulla shown on Attachment 1.
2. Council pay compensation of \$22,000 plus GST if applicable and reasonable legal costs associated with the acquisition to the owner in accordance with the provision of the Land Acquisition (Just Terms Compensation) Act 1991, from Shoalhaven Water's Sewer Fund.
3. The Common Seal of the Council of the City of Shoalhaven be affixed to any documents required to be sealed.

CARRIED

There being no further business, the meeting concluded, the time being 6.49pm.

Clr Wells
CHAIRPERSON

SA21.16 Notice of Motion - Cover for Playgrounds

HPERM Ref: D21/37660

Submitted by: Cllr John Wells

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation (Item to be determined under delegated authority)

That Council include in its forthcoming and subsequent budget considerations the provision of shade structures over its children's playgrounds where practicable and appropriate.

Background

During the current summer period I have on occasion taken one or more of my grandchildren to Council playgrounds for some exercise and fun. On a couple of these occasions, I noted that the playgrounds were devoid of children and their carers because the equipment was so hot as to render them unusable and unsafe.

Council has a duty of care to all its residents, but particularly children (see Sec. 8 of the Local Government Act). Council is also a partner with the Cancer Council in promoting sun safety in its community and workforce. Providing expensive equipment which is unusable on hot days for want of shade is not good stewardship of resources. For these reasons I seek my colleagues' endorsement of this recommendation.

SA21.17 Notice of Motion - A Meeting Place for Budgong / Mt Scanzi Residents

HPERM Ref: D21/37684

Submitted by: Cllr John Wells

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation (Item to be determined under delegated authority)

That the Chief Executive Officer investigate potential or possible sites on which a meeting / storage room could be constructed at some future time, and report the outcome of such investigation to Council at the earliest convenience.

Background

In the aftermath of the 2019/2020 Black Summer Bushfires a conversation has been growing among the residents and property owners in the Budgong / Mt Scanzi area about the possibility of having a "safe space" at which to gather for a variety of events and activities in that community.

The CCB which represents this community has in the past held its meetings at the ambulance station in Kangaroo Valley, though more recent meetings have been held in a private residence. The community indicate that were a space available they would meet for a whole variety of reasons, including education sessions on noxious weed control and safe agricultural practices, arts and craft groups, (potentially) fire safety training, and social gatherings.

The conversations have turned to asking Council to identify appropriate sites, be they Crown, Council or privately owned, which might be suitable for the development of a basic, preferably fire-proof, shed.

SA21.17

SA21.18 Notice of Motion - Budgong / Mt Scanzi Road

HPERM Ref: D21/37736

Submitted by: Cllr John Wells

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation (Item to be determined under delegated authority)

That Council give consideration in its 2021/2022 and subsequent budgets to progressively sealing Budgong / Mt Scanzi Road.

Background

The unsealed condition of Budgong / Mt Scanzi Roads has been the community that lives in that area's single most cause of ongoing concern. For the succession of Councils and staff that have attended to problem sections of this road, all acknowledge the difficulty of maintaining this road, with issues including significant drainage/drain clogging problems, vegetation overhang, fording Budgong Creek, and tendency for slip circling.

The road is nonetheless a vital link between the coast and Kangaroo Valley / Southern Highlands. Its importance and use is likely to grow as the Arthur and Yvonne Boyd Gallery and associated developments at Riversdale open to the public, and visitors seek to avoid the round trip through Nowra. The road is also vital to emergency services crews responding to a variety of emergencies, but particularly bushfires.

I believe there is a compelling case for Council to intentionally commit to the progressive sealing/upgrade of this road over a series of budgets, and accordingly commend the recommendation to my colleagues.

SA21.19 Notice of Motion - Site Identification - Community Swimming Pool - Culburra Beach

HPERM Ref: D21/38992

Submitted by: Cllr Greg Watson

Purpose / Summary

The following Notice of Motion, of which due notice has been given, is submitted for Council's consideration.

Recommendation (Item to be determined under delegated authority)

That:

1. The CEO consult with the Culburra Community exploring the feasibility of establishing a community pool in Culburra Beach to be run by the local community.
2. As part of the consultation process, the CEO identify potential sites (including suitable Council owned sites) for development of such a facility, with a report back to Council on the outcomes of the consultation, site investigations and feasibility.

SA21.19

SA21.20 Audit, Risk and Improvement Committee Annual Report November 2019 to December 2020

HPERM Ref: D21/24213

Approver: Stephen Dunshea, Chief Executive Officer

Attachments: 1. ARIC Annual Report November 2019 to December 2020 (under separate cover) [⇒](#)

Reason for Report

To provide Council with the Audit, Risk and Improvement Committee Annual Report for the period November 2019 to December 2020. This report provides an overview of the actions of the Committee and key issues that have been considered over the reporting period.

Recommendation (Item to be determined under delegated authority)

That the Strategy and Assets Committee receive and note the Audit, Risk & Improvement Committee Annual Report for the period November 2019 to December 2020.

Options

1. Council receive the Audit, Risk & Improvement Committee Annual Report for the period November 2019 to December 2020.
2. Council provide an alternative recommendation.

Background

Council's Audit, Risk & Improvement Committee's objective is to provide independent assurance and assistance to Council on risk management, internal control, governance and external accountability responsibilities.

As per the Audit, Risk & Improvement Committee's communications guidelines established in its Charter, the Chair of the Audit, Risk & Improvement Committee reports to Council annually on the key issues and activities considered.

The Chair of the Audit, Risk & Improvement Committee has tabled this Annual Report to provide an overview of the key issues that the committee has dealt with during the period November 2019 to December 2020. The Chair of the Audit, Risk & Improvement Committee, Mr Peter McLean, will provide a verbal report on the Audit, Risk & Improvement Committee Annual Report at the Strategy and Assets Committee meeting.

The report includes a brief overview of the progress of the Committee and a short discussion about key matters that were considered by the Committee including:

- Project Q Updates
- Organisational Restructure
- Currowan Bushfire Disaster
- Covid-19 Pandemic
- Business Improvement Integrated Planning and Reporting
- Assets and Works Projects over \$10 million

- Climate Change
- Council Borrowing Program
- Liquidity Contingency Plan

The Annual Report is attached for the information and consideration of the Council.

SA21.21 DPOP 2020-21 - Quarterly Performance and Budget Report (October-December)

HPERM Ref: D20/563969

Department: Corporate Performance & Reporting
Approver: Kevin Voegt, Director - City Performance

Attachments: 1. Quarterly Performance Report 2020/21 - (October to Dec) (under separate cover) [⇒](#)
2. Quarterly Budget Report - December 2020 (under separate cover) [⇒](#)

Reason for Report

This report outlines Quarter 2 performance (October to December 2020) against actions and targets set in Council's 2020-21 Delivery Program and Operational Plan. Also, in accordance with Regulation 203(1) of the Local Government (General) Regulation (2005), the responsible accounting officer must prepare and submit to Council a budget review statement after the end of each quarter.

Recommendation

That Council:

1. Receive the December Quarterly Performance Report on the 2017-2022 Delivery Program and 2020-2021 Operational Plan and publish on Council's website.
2. Receive the December Quarterly Budget Review Report.
3. Adopt the budget adjustments as outlined in the December Quarterly Budget Review document.

Options

1. Adopt the recommendation

Implications: Nil

2. Adopt an alternate recommendation

Implications: Staff will need to rework the quarterly performance report or quarterly budget review in accordance with the alternative resolution.

Background

Section 404 of the Local Government Act 1993 requires the General Manager (Chief Executive Officer) to provide progress reports to the Council with respect to the principal activities detailed in the Delivery Program (Operational Plan) at least every 6 months. Furthermore, all Councils must continue to consider a Quarterly Budget Review report.

Clause 203 of the Local Government (General) Regulation 2005 requires the Responsible Accounting Officer (Chief Financial Officer) to prepare and submit to the Council a Quarterly Budget Review Statement that shows, by reference to the estimates of income and expenditure set out in the Operational Plan, a revised estimate of the income and expenditure for the full financial year.

The Responsible Accounting Officer is also required to report as to whether or not they believe the financial position of the Council is satisfactory, having regard to the original estimate of income and expenditure.

The December 2020 Quarterly Budget Report includes an analysis of the year to date result and the reasons for any major variances from the adopted Budget. The report also provides budgetary details for each fund and group – along with commentary on progress against the budget. Any proposed changes to the budget are included in the attached December Quarterly Budget Report.

Summary of DPOP Performance

The following performance has been measured on 31 December 2020 across each of the key themes outlined in the Community Strategic Plan - Shoalhaven 2027.

Theme	Progress snapshot
Resilient, safe, and inclusive communities	93% actions on track or completed
Sustainable, liveable environments	89% actions on track or completed
Prosperous communities	95% actions on track or completed
Responsible governance	91% actions on track or completed

Key Highlights

Council has been consistently delivering a range of services, projects and activities which work towards achieving the 10 priority goals outlined in Council's Delivery Program 2017-22. Performance comments are provided in the report against each of the 156 actions and related targets in Council's 2020-21 Operational Plan.

The complete Quarter 2 performance report is included as **Attachment 1**.

Significant achievements during October and December include:

- Awarded the 2020 Outstanding Council Animal Shelter at the Jetpets Companion Animal Rescue Awards.
- Created a new \$25K Performing Arts COVID-19 Response Grant.
- Shoalhaven Regional Gallery has delivered five exhibitions celebrating both local and established Australian artists.
- Received funding to extend the Recovery Support hotline service providing outreach calls to offer referral and support to community members effected by the bushfires.
- Claimed an additional \$3.5M for Natural Disaster funding for restoration of essential public infrastructure, bringing the total claimed to \$7.2M this financial year.
- Issuing 2,854 planning certificates (10.7 & dwelling entitlements) between July and December, up 39% on previous six months.
- Commissioned Council's largest solar PV array (96 kW or 270 solar panels) at Vincentia Wastewater Treatment Plant.
- Holiday Haven Parks achieved a 27% increase in site occupancy and 26% increase in cabin occupancy based on the same period last year.
- Tourism team working on product development with 13 Aboriginal Operators.
- Boongaree Youth Zone progressing well and expected to be completed by end of January 2021.
- Bushfire damaged infrastructure projects for Shoalhaven Water are well advanced with only Fishermans Paradise sewage pumping station yet to be completed.

- The St Anns St Sewer Pump Station project is 90% complete and will be connected in early February 2021.

Behind Schedule or Needs Attention

The following eight Action items have been reported as behind schedule and require attention. Full performance comments are in the attached report and remedial actions have been reported to senior management.

Ref.	Action	Quarter 2 Comment (summary)
1.1.01.06	Implement high priority actions (0 -2 years) in the certified Coastal Zone Management Plan	The section is under resourced and funding short falls are hindering progress in some action items.
1.1.06.01	Perform duties to ensure operations of on-site sewage management systems	45% less than the planned number of inspections this period due to concentrating on completing a backlog, income for 6 months was also down by 66%.
1.2.01.03	Increase diversification of income streams to support the activities of the Shoalhaven Regional Gallery	New Tap & Go donation system installed, but donations continue to be under the goal of 20% of visitors. Have sought the support of the Arts Board for the installation of specialised fundraising software.
2.1.02.03	Review of Community and Public Buildings for fire compliance	Activities ongoing – full update provided in Attached report.
2.3.03.07	Develop Coastal Management Programs per NSW Coastal Management Act 2016 and the Coastal Manual	Coastal Management Programs are starting to meet critical milestones. Staff shortages have impacted on program delivery. Recruitment of additional key staff will improve outcomes in this area.
2.3.03.12	Support organisational requirements for environmental planning and assessment	Workloads remain high including assessments of bushfire impacted properties. This includes environmental assessments and the implementation & management of both grants and planning projects.
4.1.04.06	Far-North Collector Road	Due to few technical issues the road alignment has amended since 2018, increasing project cost. Submission requesting additional funding has been submitted to Federal Government. Connections to Taylor Lane/upgrade are being investigated as per the Council resolution.
4.2.12.01	Improve Shoalhaven Water's levels of service for Development & Regulatory Function	High volume of referrals are being experienced which has impacted on levels of service. Additional resources have been recruited to assist with increased work load. A review of the referral assessment process is proposed for early 2021 to improve efficiency.

SA21.21

On Hold or Not due to commence

The following five Action items have been reported as on hold or not due to commence.

Ref.	Action	Quarter 2 Comment (summary)
2.3.02.01	Review and update Shoalhaven Adaptation Plan 2030	The review of the Shoalhaven Adaption Plan is currently on hold.
3.1.03.03	Deliver an event support program to drive off-season visitation	Changing climate of restrictions on events has placed this program on hold for the first half of the year. Staff plan to resume the program as restrictions relax.
4.1.04.07	East Nowra Sub Arterial Road	The final geotechnical report has recommended surcharging the recommended alignment to treat soft soil foundations. An additional flood study is required to finalise the embankment structure.
4.2.10.02	Improve debtors position across revenue streams in Building Services Portfolio	Debtor tracking cognisant with rent abatements afforded to council tenants as per Council resolutions - MIN20.642; MIN20.849.
4.2.10.03	Progress the development / disposal of properties Council's land register	Pending the development of a strategic plan for all council property assets through the new City Futures Directorate.

SA21.21

Additional Operational Plan Actions arising from Notices of Motion

Between 1 July and 31 January 2021, Council has endorsed **83** Notices of Motion (NoMs) which can be categorised as follows:

- 55 NoMs relate to information, donations / community support, maintenance / traffic requests, advocacy or Development Application call-ins and covered in business as usual operations.
- 28 NoMs relate to projects that may require additional resources being added to the existing Operational Plan 2020-21. These Actions can be further categorised into the following areas:
 - Strategic Planning Works Program (2)
 - Infrastructure Upgrades (12)
 - Infrastructure Upgrades – Non Council (2)
 - Forward Planning (12)

Funding was allocated to the respective projects during quarterly budget reviews.

December Quarterly Budget Results Overview

The December budget results indicate that the Council continues to function effectively under changing COVID-19 restrictions with the operating expenditures being below the budget in the second quarter of the year.

December budget results indicate that Council is well on the path of recovering from the natural disasters and COVID-19 lockdown: the revenue from the tourist parks is \$1.2 million ahead of year-to-date budget and Council continues to recover compensations from outstanding insurance and disaster recovery claims.

Swim, Sport and Fitness and other community facilities diligently comply with all COVID-19 restrictions and continue operating under capacity and their revenue is \$470K behind the year-to-date budget. However, as a result of the proactive management of controllable

operating expenses and redeploying staff to other business units, management achieved \$200K of budget savings and the remaining year to date revenue shortfall was compensated by savings in other business units.

Shoalhaven City Council was also successful in securing an additional \$11.75 million of capital grants that will be used to co-fund Shoalhaven Community and Recreational Precinct (\$8 million) Ulladulla Harbour facility (\$1.75 million) and improving resilience of Shoalhaven power and communications (\$2 million). The final agreements are expected to be finalised shortly and respective budget adjustments will be proposed in March Quarterly Budget review.

Water and Sewer funds continue to outperform year to date budget with better actual operating results when compared to the year-to-date budget.

The proposed December Quarter budget adjustments include a reduction in interest on overdue rates and charges revenue by \$350K in General fund, \$100K in the Sewer fund and \$75K in the Water fund. Management identified sufficient savings across operational and capital budgets to offset unfavourable budget adjustments outlined above with the additional \$100K proposed to be allocated to the reconstruction of the Lake Conjola Entry Road recently affected by natural disasters. This will bring the total budget for this project to \$550K.

The December budget results indicate that the Council is in a strong budget position and remains financially sustainable with an acceptable level of the working capital and a sufficient level of unrestricted cash.

The working capital position of the General Fund as of December 31, 2020, is 13% of the current liabilities above the benchmark of 10%:

Description		('000)
Add	Current Asset	149,452
Less	Current Liabilities	69,051
Calc	Net Current Asset	80,401
Less	External restrictions	55,601
Less	Internal restrictions	48,657
Add	Provisions (Liabilities not expected to settle in 12 months)	32,647
Calc	Available working capital	8,790
Calc	Working Capital as a % of Current Liabilities	13%

Management continues to exercise prudent financial management and proactively manages the budget which is reflected in the December Quarterly Budget Report.

Financial Impact of COVID-19 Financial Relief Measures

To assist local residents during unprecedented times of the COVID-19 pandemic and to support the recovery of the region, Council has endorsed an extensive Financial Relief Package. The financial impact of various financial assistance measures on year-to-date budget results is summarised below.

Type of Financial Assistance	Amount (\$'000)
DA fees waived	358
Rent reduction – full year impact	249
Interest free period	525
S7.11 subsidy	54
S64 subsidy	71
Total	1,257

General Fund Budget and Quarterly Review Movements

As referenced earlier, Council adopted an unrestricted cash deficit budget of \$619K for 2020/21 which subsequently increased to \$686K in September QR due to funding of additional Council Resolutions. The December QR adjustments have resulted in a \$32K favourable movement in unrestricted cash, bringing the current forecast cash deficit to \$654K. It is noted that savings, and/or improved revenue streams, will need to be identified in future quarterly reviews to fund this deficit.

The net operating result before capital grants and contributions of the General Fund as at the December 2020 QBR was a surplus of \$44M – being a \$2.3M favourable variance to the year to date adopted budget of \$41.7M surplus. This reflects a 6% favourable year to date variance, largely driven by higher than expected income from Holiday Haven and unspent operational and maintenance funds due to the timing expectations of the expenditure.

The 2020/21 current budget adopted by Council had forecast an operating deficit before Capital Grants and Contributions of \$3.4M, and a reduction in cash and investments of \$29.2M.

The following table presents a high-level summary of the budget and movements for the General Fund for 2020/21.

\$'000 Favourable / (Unfavourable)	Original Budget	Current Adopted Budget	December QR Adjustments	December QR Proposed Budget	December Actuals
Unrestricted Cash Movement	(619)	(686)	32	(654)	(7,449)
Operating Result	42,462	44,081	(5,034)	39,048	47,994
Operating Result before Capital Grants and Contributions	(2,761)	(3,368)	(367)	(3,735)	44,044
Net Total Cash & Investments Movement	(28,903)	(29,248)	14,115	(15,133)	(8,702)

The main contributing factor for the change to the operating result is a decrease in the forecast for capital grants (\$4.7M), with the primary one being the rephasing of the Bongaree grant in the next financial year. As mentioned previously in this report, the capital grants budget will see an increase of \$11.75M in the next quarter to reflect the additional capital grants that Council was successful in securing this financial year.

December Quarterly Review adjustments resulted in a favourable General Fund Net Cash and Investments Movement of \$32K.

The commentary on the recommended changes can be found in December 2020 Quarterly Budget Report presented as **Attachment 2**.

Water Fund Budget and Quarterly Review Movements

The net operating result before capital revenue of the Water Fund is a \$181K deficit when comparing to the year-to-date budgeted deficit of \$543K. The main reason for the favourable variance of \$328K is as a result of additional communications towers income.

\$'000 Favourable / (Unfavourable)	Original Budget	Current Adopted Budget	December QR Adjustments	December QR Proposed Budget	December Actuals
Operating Result	2,769	2,876	(141)	2,735	685

Operating Result before Capital Grants and Contributions	(1,081)	(974)	(461)	(1,435)	(181)
Net Cash & Investments Movement	(10,658)	(13,173)	7,712	(5,462)	380

The main proposed budget adjustment relates to a \$7.8M forecast of capital expenditure into the next financial year (\$4.5M – Flinders Depot, \$1.35M Moss Vale Road water works, 1.95M transfer system and other works).

The December Quarterly Budget Review adjustments resulted in a favourable Net Cash and Investments Movement of \$7.7M.

Sewer Fund Budget and Quarterly Review Movements

The net operating result before capital revenue of the Sewer Fund was \$6.8M (surplus), a \$2.4M favourable variance comparing to the budgeted year to date surplus of \$4.3M. This is principally due to under expenditure, in particular materials and contracts and additional income received.

Detailed explanations of the key variances for both the quarter and the full year forecast result are outlined in the December 2020 Quarterly Budget Report presented as **Attachment 2**.

\$'000 Favourable / (Unfavourable)	Original Budget	Current Adopted Budget	December QR Adjustments	December QR Proposed Budget	December Actuals
Operating Result	7,698	9,047	375	9,422	7,828
Operating Result before Capital Grants and Contributions	5,648	6,997	(100)	6,897	6,807
Net Cash & Investments Movement	(13,031)	(13,611)	4,567	(9,044)	(1,443)

The main proposed budget adjustment relates to a \$4.2M forecast of capital expenditure into the next financial year, \$100K decrease in interest revenue as result of the extension of the interest-free period as resolved by Council and \$475K increase in Section 64 revenue.

Favourable adjustment to Net Cash and Investments Movement is proposed to reflect a reforecasting of Moss Vale Road sewer works project into the next financial year.

Communications

The complete Quarterly Performance report will be available on the Council's website with a link promoted through Council's weekly newsletter. A range of other communication methods will also be used to communicate the outcomes of the report including performance highlights across Council's social media platforms.

SA21.22 Narrawallee Beach Dog Off-leash Area Trial - Trial Completion, Summary and Way Forward

HPERM Ref: D20/548246

Department: Community Planning & Projects
Approver: Jane Lewis, Director - City Lifestyles

Reason for Report

To summarise the community feedback and outcome of the amended Dog Off-leash area 12-month trial on Narrawallee Beach, and determine a way forward.

Recommendation (Item to be determined under delegated authority)

That Council:

1. Accept the summary of the community feedback and outcome of the amended Dog Off-leash area 12-month trial on Narrawallee Beach for information.
2. Adopt the trial provisions, with the following amendments:
 - a. Amend the dates from:
 - i. 1 October to 30 April to Australian Eastern Daylight Savings Time, being 4pm–8am, and
 - ii. 1 May to 30 September to Australian Eastern Standard Time, being 3pm–10am.
 - b. Move the southern boundary of the off-leash area to immediately south of the most southern Narrawallee Inlet Reserve entrance and prohibit access to the dog off-leash area on the southern part of Narrawallee Beach, including Victor Avenue stairs.
 - c. Remove the 10m wide access way from Surfers Avenue.
3. Erect new signs at the various access points at Narrawallee Beach in accordance with the endorsed direction.
4. As part of the Review of the Access Areas for Dogs Policy, subject to community consultation, amend the dates of other Shoalhaven timed off-leash areas to be consistent with Part 2. (a) (i).

Options

1. Adopt the recommendation as written.

Implications: This approach, as per option 1 in the table in the report, allows the trial arrangements to be completed, and a way forward determined. Adopting the increased times as per the trial allows Narrawallee Beach to be utilised as an off-leash dog area consistent with other Shoalhaven timed off-leash dog areas, whilst the amendments to the southern boundary and removal of the access from Surfers Avenue addresses the concerns in relation to user conflict.

As staff embark on the formal commencement of the review of the Access Areas for Dogs Policy, it is likely that further submissions from the community will be raised in relation to Narrawallee Beach. The forthcoming Review will provide a short-term opportunity to seek community feedback on the endorsed approach.

2. Adopt an alternative recommendation to complete the trial arrangements, and adopt revised dog off-leash area provisions, including:

- Increase the operation of the off-leash areas to 24/7;
- Modify the southern boundary of the off-leash area from the Victor Avenue steps to immediately south of the Narrawallee Inlet Reserve entrance; and
- Prohibit access to the dog off-leash area on the southern part of Narrawallee Beach, including Victor Avenue stairs.

Implications: This approach, as per option 2 in the table in the report, has not been subject to community feedback. Whilst that is the case, this alternative could be deemed to be a balanced approach to the various issues raised by community. The approach increases hours of operation and provides greater flexibility to the community wishing to exercise their dog off-leash, whilst acknowledging the conflict issues on the southern end of the beach and retaining this area as dogs prohibited.

3. Adopt an alternative recommendation to continue the trial and investigate options for the Narrawallee Beach dog off-leash area as part of the Access Areas for Dogs Policy Review.

Implications: This approach, as per option 3 in the table in the report, will provide an opportunity for the Community Working Group and broader community to provide feedback on the approach at Narrawallee Beach.

However, this alternative approach may be inconsistent with the community expectation to resolve the trial arrangements on Narrawallee Beach.

Background

At the Strategy and Assets meeting in December 2019 and in response to a petition from dog owners living in the southern portion of Surfers Avenue, Council resolved (MIN19.924) to:

1. *Rescind MIN19.578 and approve a twelve-month trial to commence prior to Christmas, to create a 10m wide Dog On-leash strip passing from the Surfers Avenue unformed beach access area (Shoalhaven Water access road), to the commencement of the Dogs On-Leash area of the main Narrawallee Beach.*
2. *Amend the existing Dog Off-leash Guide diagram for Narrawallee Beach, to alter the Dog Prohibited area by redesignating a 10m wide strip between the Surfers Avenue unformed beach access and the Victor Avenue stairs to the north, as Dog On-leash. At the same time, obtain new signage for installation at the northern and southern limits of the proposed Dog Onleash strip.*
3. *Commence investigation of the feasibility of establishing an upgrade of the trial track west of the Dog Prohibited Area of the beach, to allow dog owners to walk their dogs between the Surfers Avenue stairs and the Victor Avenue stairs to avoid walking across the Dog Prohibited area.*
4. *Conduct the Dog Off-leash trial using the same times as those used in the 2015-16 trial (4pm-8am, 1 October – 30 April and 3pm-10am, 1 May – 30 September) consistent with other Dog Off-leash locations in the Shoalhaven.*
5. *Inform the local Community Consultative Bodies of this twelve-month trial.*

Following Council's resolution, adhesive stickers were placed on existing signage at Narrawallee Beach at the beach entrance points to enable the trial to commence on 25 December 2019.

The trial signage identified the new 10m wide dog on-leash access from Surfers Avenue to the dog off-leash area and the revised off-leash dog area times. Council's website and Dogs Off-Leash Guide were also updated in accordance with the Council resolution.

Community Engagement

During the operation of the 12-month trial both Councillors and Council staff have had various liaisons with local individuals and interest groups in relation to the trial. Staff have encouraged all individuals and interest groups to provide written feedback in relation to the operation of the trial, to ensure that these are documented.

During the trial period, Council staff received correspondence from approximately 100 individuals and groups in relation to the trial and its operations. This demonstrated an increase in correspondence from community in relation to the Narrawallee Beach off-leash dog area.

The submissions received both were in support and raised concerns with the trial. In the twelve month trial period, the principal community concerns logged in relation to Narrawallee Beach were:

- The trial accessway from Surfers Avenue, specifically:
 - The exact location of the 10m access way, particularly in relation to the changing tides of the beach;
 - Misuse of the access way, e.g., off-leash use, dogs restrained and left unattended, and use of on-leash access outside of the accessway; and
 - Proximity of the 10m track close to the coastal vegetation.
- Compliance issues, rangers and enforcement, specifically the:
 - Lack of presence of rangers;
 - People not picking up after their pets;
 - Dog off-leash activity outside of the designated hours; and
 - Issue of penalties without warning, especially in relation to the trial access given its lack of definition.
- User Conflict and Safety, specifically;
 - Conflict on Victor Avenue steps between people with dogs and those without;
 - Conflict between dogs and people without dogs; and
 - Conflict between dogs and fauna (i.e., shorebirds).
- Timed off-leash area, specifically:
 - The hours are limited and don't accommodate some members of the community, e.g., shift workers; and
 - Congestion due to the increasing number of people using the dog off-leash area, particularly in response to COVID-19.
- Signage, specifically:
 - Inconsistency of messaging;
 - Inaccurate messaging;
 - Confusing messaging; and
 - Lack of signage.
- Lack of facilities to allow for dog waste disposal; and
- The need for additional off-leash beaches in the Shoalhaven because of increased crowding of more popular beaches such as Narrawallee Beach, particularly in relation to social distancing.

Way Forward – Options

In considering the feedback received from the community during the trial period, both in support and opposing the trial, a number of alternatives could be considered in moving forward. These options are summarised in the Table below.

Option	Comments
<p>1. Adopt the trial arrangements with changes. The changes include: Remove the 10m on-leash access from Surfers Avenue; Move the southern boundary of the off-leash area immediately south of the Narrawallee Inlet Reserve entrance and prohibit access to the dog off-leash area on the southern part of Narrawallee Beach, including Victor Avenue stairs; and Amend the dates of the off-leash dog area times from: 1 October to 30 April to Australian Eastern Daylight Savings Time, and 1 May to 30 September to Australian Eastern Standard Time.</p>	<p>This approach allows the trial arrangements to be completed, and a way forward determined. Adopting the increased times as per the trial allows Narrawallee Beach to be utilised as an off-leash dog area consistent with other Shoalhaven timed off-leash dog areas, whilst the amendments to the southern boundary and removal of the 10m access from Surfers Avenue addresses the community submissions raised in relation to user conflict.</p> <p>The change to the dates of the off-leash dog area times to refer to Australian Eastern Daylight Savings Time will result in the introduction of the increased hours earlier in the year (first Sunday of April), and it concludes later in the year (first Sunday of October). This approach could then be reflected for the other timed off-leash dog areas in Shoalhaven, as part of the Policy review.</p>
<p>2. Vary the existing dog off-leash area to: Remove the 10m on-leash access from Surfers Avenue; Increase hours of operation of the off-leash area to 24/7; and Move the southern boundary of the off-leash area to immediately south of the Narrawallee Inlet Reserve entrance and prohibit access to the dog off-leash area on the southern part of Narrawallee Beach, including Victor Avenue stairs.</p>	<p>This approach allows the trial arrangements to be completed, and a way forward determined. This approach could be considered to be a balanced approach to the various issues raised by community.</p> <p>Whilst the off-leash area is reduced slightly, the hours of operation are increased to 24/7 which will provide greater opportunity for the community to use the beach for off-leash dog activity and address a number of the requests raised by the community. Retaining the southern area as a dog prohibited zone and removing dog off-leash area access from the Victor avenue steps will address a number of issues raised by the community.</p> <p>This approach has not been tested or consulted on, in the community.</p>
<p>3. Continue the trial arrangements as is and resolve as part of the review of the Access Areas for Dogs.</p>	<p>This option allows the trial to continue so that the way forward is considered in consultation with the Community Working Group and the broader community.</p> <p>However, the concern is that continuing the trial arrangements as they are will only result in continued conflict and issues, as have arisen in the last 12-months and summarised in this report.</p>
<p>4. Adopt the trial arrangements as is.</p>	<p>This approach allows the trial arrangements to be completed, and a way forward determined. The feedback received from the community has indicated that that this approach would not resolve</p>

	<p>any of the issues raised during the trial period.</p> <p>Adopting the trial arrangements is likely to create ongoing issues, particularly in relation to the on-leash access from Surfers Avenue, the ongoing conflict on the Victor Avenue steps, and increasing congestion of the off-leash dog area.</p> <p>This approach will not provide any relief for the community who wish to increase their use of Narrawallee Beach for dog off-leash activity, which has considerably increased over the last 12-months as a result of COVID-19 and increased dog ownership during this time.</p>
<p>5. Continue the trial arrangement with changes and resolve as part of the review of the Access Areas for Dogs. The changes include: Remove the 10m on-leash access from Surfers Avenue; Increase hours of operation of the off-leash area to 24/7; and Move the southern boundary of the off-leash area immediately south of the Narrawallee Inlet Reserve entrance and prohibit access to the dog off-leash area on the southern part of Narrawallee Beach, including Victor Avenue stairs.</p>	<p>This option allows an alternative approach to be tested at Narrawallee Beach, that responds to some of the issues that have arisen in the last 12-months and are summarised in this report. Specifically, it increases the dog off-leash area operation to 24/7 to address issues of congestion and providing greater flexibility to the community in response to removing access to the off-leash dog area via the Victor Avenue steps and the removal of the 10m on-leash access from Surfers Avenue.</p> <p>This approach allows staff to test the two different approaches, concurrent with the review of the Policy. This approach allows staff to recommend a way forward in consultation with the Community Working Group and the broader community.</p>
<p>6. Return to the pre-trial off-leash area arrangements.</p>	<p>This approach will result in less off-leash hours during the warmer months (October to April) and will not provide any relief for community members who wish to increase their use of Narrawallee Beach for dog off-leash activity. It is considered that this approach will not alleviate any of the issues raised by the community and summarised in this report.</p>

Based on the above options and analysis of how each address the issues raised over the trial period, each option provides both advantages and disadvantages. Option 1 as outlined in the Table above proposes to adopt the trial arrangements with amendments, based on the community feedback received. This option is the preferred approach.

Options 4, 5 and 6 are the least preferred approaches as it is considered that they do not address feedback received during the trial period, and they do not resolve existing conflict between beach users and other issues.

As staff embark on the formal commencement of the review of the Access Areas for Dogs Policy, it is likely that further submissions from the community will be raised in relation to Narrawallee Beach. The forthcoming Review will provide a short-term opportunity to seek community feedback on the endorsed approach.

Policy Implications

The resolved way forward will result in an amendment to the Access Areas For Dogs Policy.

It is noted that the formal commencement of the review of the Access Areas for Dogs Policy is imminent. The review will incorporate various opportunities to engage with the community to seek feedback in relation to the Policy, which is likely to result in further submissions from the community in relation to Narrawallee Beach. The forthcoming Review will provide a short-term opportunity to review and seek feedback on the operation of the endorsed approach at Narrawallee Beach

Financial Implications

The operation of the trial has not required any additional budget allocations. Depending on Council's decision in relation to the matter, one likely outcome and financial implication will involve provision of revised signage, which is likely to attract additional expenditure, approximately \$500+ per sign. The design and provision of revised signage at the appropriate time will be accommodated within an existing Community Planning and Projects Budget.

SA21.23 Draft Conjola Connected Communities Masterplan and Draft Yooralla Bay Concept Plan - Summary of Community Consultation and Next Steps

HPERM Ref: D20/448703

Department: Community Planning & Projects
Approver: Jane Lewis, Director - City Lifestyles

Attachments:

1. Draft Conjola Connected Communities Masterplan (under separate cover) ➡
2. Draft Yooralla Bay Concept Plan (under separate cover) ➡
3. Summary of Submissions - Draft Conjola Connected Communities Masterplan and Draft Yooralla Bay Concept Plan (under separate cover) ➡

Reason for Report

To provide Council with:

- An overview of the community consultation process recently completed for the:
 - Draft Conjola Connected Communities Masterplan
 - Draft Yooralla Bay Concept Plan
 (both plans were prepared by TAKT Studio for Architecture who were engaged by the Conjola Community Recovery Association)
- Seek direction from Council for the next steps

Recommendation (Item to be determined under delegated authority)

That Council:

1. Acknowledge and commend the efforts of the Conjola Community Recovery Association and the hard work and commitment in developing the Draft Conjola Connected Communities Masterplan and Draft Yooralla Bay Concept Plan
2. Do not adopt the Draft Conjola Connected Communities Masterplan and Draft Yooralla Bay Concept Plan prepared by TAKT Studio for Architecture and instead endorse the following infrastructure improvements:
 - a. Hoylake Grove Park, Conjola Park:
 - i. Memorial Garden and seating elements as identified in the Draft Yooralla Bay Concept Plan
 - ii. Footpaths from Hoylake Grove to and around Playground, Shade/Shelter near playground, Accessible BBQ and picnic facilities in accordance with grant funding
 - b. Lake Conjola:
 - i. Lake Conjola Entrance Road Bikeway through to the boat ramp elements identified in the Draft Conjola Connected Communities Masterplan, without the deviation at Aney Street.
3. Continue to advocate and seek funding for any of the identified infrastructure improvements that cannot be met by the existing grant monies with Council contribution

- of \$200,000 and any additional embellishments and infrastructure as identified by the community.
4. Continue to liaise with the Conjola Community Recovery Association regarding any donated funds which have been raised that could be used towards the delivery of these elements.

Options

1. Adopt the recommendation.

Implications: The recommendation provides some level of infrastructure improvements to be delivered in Conjola Park and Lake Conjola, that is generally consistent with the responses from the community received during the consultation period.

The recommendation also allows for the grant money received, and any funding raised at a community level, to be expended within the localities which were and continue to be greatly affected by the 2019/20 bushfires.

2. Adopt an alternative recommendation.

Implications: Depending on the nature of the alternative recommendation, this may be contrary to the general consensus from the community that was noted as part of the consultation period.

Background

Following the devastating Summer 2019/2020 bushfires and the catastrophic impact to the Conjola community, the Conjola Community Recovery Association (CCRA) was established by a group of volunteer community members.

As part of the bushfire relief efforts, the CCRA engaged TAKT Studio for Architecture to develop two plans:

- **Draft Conjola Connected Communities Masterplan** - an overarching document that aims to improve connections between Conjola Park and Lake Conjola and to surrounding areas including Fisherman's Paradise and Narrawallee. The masterplan includes several development modules including improved entrance to Lake Conjola from Princes Highway, Bikeways between communities, to Haviland Street and through Lake Conjola, Conjola Park facilities and memorial, playground, skate park and shelter at Lake Conjola Community hall, road realignment around the Holiday Haven Holiday Park and others. The Draft Conjola Connected Communities Masterplan as exhibited is provided as **Attachment 1**. Pages 18 and 19 of the Draft Masterplan detail the development modules and the areas they are proposed.
- **Draft Yooralla Bay Concept Plan** – a specific concept plan of the Conjola Park foreshore area, Hoyslake Grove Reserve (based on Module B of the Conjola Connected Communities Masterplan), inclusive of embellishments to improve the aesthetic, amenity and function of the public open space area. Proposed embellishments include memorial seating / garden, memorial within the Lake, community building, playground, half-court basketball court and others. The Draft Yooralla Bay Concept Plan as exhibited, is provided as **Attachment 2**. Page 5 of the Draft Concept Plan details the proposed infrastructure components and their respective locations.

The primary objective of both these plans was to identify infrastructure improvements in the Conjola area based on early consultation with community members, to renew the sense of community and restore the amenity of the area for the local community to enjoy. It is noted that the initial consultation undertaken was limited in nature.

Council became involved in the project in mid-2020 with the establishment of a project team which included staff representatives from Community and Recreation, Environmental Services, Waterways and Property Services.

The project team met with the architects, representatives from the Conjola Community Recovery Association and Conjola Community Association (CCB) on a fortnightly basis and discussed the draft plans. Council staff provided feedback in relation to key components such as potential impact to existing assets, flora and fauna, flooding and other matters to ensure these matters were addressed early in process and prior to proceeding to community consultation. However, detailed investigations were not undertaken as it was considered necessary to seek widespread community input prior to progressing with the project any further.

Community Engagement – First Round

A Get Involved page was established in June 2020 in relation to the replacement of the Hoylake Grove Playground which was damaged in the fires. This same page was updated in August 2020 for the consultation on the community initiated Draft Conjola Connected Communities Masterplan and Draft Yooralla Bay Concept Plan.

Council-led Community consultation commenced on 3 August until 28 September 2020 (inclusive) and included two surveys for each Draft Plan. The Draft Plans were available for viewing on the Get Involved page, at Council's mobile library at Lake Conjola and Conjola Park, and hard copies were made available on request.

Advice of the consultation period was completed through mailouts to over 300 Conjola Park and Lake Conjola residents, the Community Consultative Bodies, Council Newsletter and social media. Conjola Community Association was also involved in spreading the word of the consultation period via their networks.

Due to the ongoing COVID situation and the changing restrictions, in-person consultation did not take place. As an alternative, Council staff hosted a webinar on Wednesday 23 September 2020 as an opportunity to hear from the architects about the Draft Plans and ask questions. The webinar was attended by 39 participants, with over 50 questions received either prior to the commencement of the webinar or during.

Concerns were raised about the difficulty of residents engaging in this process due to the ongoing aftermath of the bushfires and COVID, with some community members from Lake Conjola not being aware of the Draft Plans until after the consultation period closed. These community members were written to and provided an extended opportunity until 18 October 2020 to make a submission on the Draft Plans.

The following is a summary of the *first round* community consultation outcome:

- 65 surveys (multiple respondents submitted more than 1 survey) were received for the Draft Conjola Connected Communities Masterplan
- 86 surveys (multiple respondents submitted more than 1 survey) were received for the Draft Yooralla Bay Concept Plan
- 32 written submissions, 1 of which was a group submission with 22 signatures
- 1 petition with 103 signatures

Community Engagement – Second Round

After the first round of community consultation period closed, community members raised concerns with Council staff about the initial consultation period, with some community members not aware of the consultation until after it closed. In response to these concerns

raised, Council reopened the community consultation for a second round on Friday 30 October 2020 through to Friday 27 November 2020 (inclusive).

To address the concerns in relation to the lack of awareness of the first community consultation round, advice of the reopening of the consultation period was significantly distributed with:

- Advice of the consultation period through mailouts to over 700 Conjola Park and Lake Conjola landowners, the Community Consultative Bodies, Council Newsletter and social media
- Flyer distribution via Pinpoint Advertising was letterbox dropped to over 600 residents
- Conjola Community Association was also involved in spreading the word of the consultation period via their networks
- Drop-in Sessions held in Conjola Park and Lake Conjola

During the second round of community consultation the same two surveys were made available in relation to the Draft Conjola Connected Communities Masterplan and Draft Yooralla Bay Concept Plan, plus an additional “Quick Poll” which was a basic questionnaire asking constituents whether they thought there should be any improvements made to the Conjola area, or not.

Due to the more reduced restrictions associated with COVID, staff held three drop-in sessions at:

- Conjola Park – Wednesday 11 November, 12pm to 2pm
- Lake Conjola Community Hall – Wednesday 18 November, 12pm to 2pm
- Bushfire Hub, Lake Conjola – Thursday 19 November, 3pm to 6pm

The following is a summary of the second round of community consultation outcome:

- 31 were received for the Draft Conjola Connected Communities Masterplan
- 37 surveys were received for the Draft Yooralla Bay Concept Plan
- 28 surveys were received for the ‘Have Your Say’ Quick Poll
- 8 written submissions (5 of which were additional submissions to those received from the 1st round)
- 46 attendees over three days of drop-in sessions

Summary of Surveys and Submissions

A summary of the key themes in relation to the Draft Plans is provided below. In addition, a detailed summary of the surveys and submissions received is provided as **Attachment 3**. Copies of the survey responses and submissions are provided on the *Councillor SharePoint* site prior to the Council meeting.

Draft Conjola Connected Communities Masterplan Survey – Feedback Summary

The below is a summary of the survey responses on the Draft Conjola Connected Communities Masterplan.

- Survey responses indicated that 62% liked the Draft Masterplan, whilst 38% did not like the Draft Masterplan
- The top three components of the Draft Masterplan in order of preference were:
 1. Bikeway link between communities (Module E)
 2. Bikeway at Lake Conjola (Module F)

3. Conjola Entrance Improvements (Module A)

- Despite the Bikeway at Lake Conjola being identified as the second most preferred component of the Draft Masterplan, some survey responses indicated they had concerns in relation to the proposed deviation off Lake Conjola Entrance Road, north along Aney Street and along the foreshore at Carroll Avenue Reserve. These concerns relate to safety issues, amenity impacts and incompatibility with this space.
- Some of the comments received in the relation to the Draft Masterplan in the survey responses include:
 - Council should assist in the delivery of this project
 - The works will allow the community to grow and move on from the Summer Bushfires
 - Haviland Street Boat Ramp should not be delayed by these plans
 - Permanent entrance of the Lake is required
 - Investigations / studies need to take place before works can occur
- Some concerns were raised in response to the Draft Masterplan in the survey responses; these referred to:
 - Funding is better spent on other infrastructure including, but not limited to, drainage and kerb and guttering, or on rehabilitation of the environment, refurbishment of existing infrastructure and care of the Lake
 - The plan does not consider permanently opening the Lake
 - All modules should not interfere with residents' ability to live peacefully and quietly amongst nature
 - The plan results in congestion of existing public open space
 - Destruction of Aboriginal history should not be allowed
 - Module F will create major safety issues and conflict at the foreshore, particularly to the older population of the area
 - The plans will result in Conjola Park losing its local character feel and amenity by encouraging increased visitation which the park, and the plans, cannot accommodate
 - Lack of consideration of other communities on Lake Conjola such as Fishermans Paradise
 - The plan includes proposals over environmentally sensitive areas – e.g., bikeway extension to Narrawallee Inlet
 - The plan is ambitious
 - The scale of the plan is larger than the original concept put to residents in its development

Draft Yooralla Bay Concept Plan Survey – Feedback Summary

The below is a summary of the survey responses on the Draft Yooralla Bay Concept Plan

- Responses indicated that 60% of survey responses liked the Draft Concept Plan, whilst 40% did not like the Draft Concept Plan
- The top three components in the Draft Concept Plan in order of preference were:
 1. Shared pathway
 2. Playground
 3. Memorial Garden
- The community building generated a lot of discussion with a significant number of surveys and written submissions indicating concern for its potential impact on adjoining residents and the existing amenity of the park. Responses indicated that 55% of

responders indicated some level of support for the community building (whether it was as per the plan, or a smaller / modified version), whilst 45% indicated they did not support the community building. More specifically:

- Further questions were asked in relation to the composition of the community building. This indicated that whilst 55% of the responses liked the idea of a community building, they believed it should be provided in a different way, including:
 - Only BBQ / picnic facilities
 - Only pontoon
 - No canteen / kiosk / commercial component
 - No amenities
 - Relocate to the playground area but in the form of BBQs and picnic shelters
- In relation to the proposed memorial, the following suggestions were made:
 - Memorial seat should be included in the memorial garden
 - Should be unobtrusive and not a tourist monument
 - The memorial design based on 'burnt trees' could be perceived as inappropriate / insensitive as it would remind community of the bushfires. Something representing renewal would be a better alternative
 - Having the half basketball court adjacent to the memorial garden may conflict with those wanting to spend some quiet time in the memorial area
 - The memorial should not be located in the water and be an obstruction to watercraft users
- Concerns raised in relation to this Plan were:
 - Potential impacts to the Lake, surrounding environment and adjacent residential properties. Impacts referenced are in relation to amenity, acoustics, lighting, visual, privacy, traffic and environmental
 - The site should be better maintained all year round – mowing, weeding, etc.
 - Conjola Park should be retained as a local park that services the local residents
 - There is no additional car parking proposed
 - The scale of the plan is larger than the original concept put to residents in its development
 - There was little to no consultation done with the community when the plans were developed
 - Conjola should be left the way it is
 - Environmental impact on native orchids along Lakeside Drive
 - Hoylake Grove is consistently wet / soggy because of poor drainage, need to invest in improving this
- Some of the comments received in the relation to the Draft Masterplan in the survey responses, include:
 - Parking facilities are required
 - Amenities and picnic / BBQ facilities to be provided near the playground
 - Ensuring accessibility in all works, DDA compliance
 - More walking facilities to Fishermans Paradise and Narrawallee
 - Foreshore regeneration
 - Fix the boat ramp
 - Kerb and guttering
 - Fire hydrants
 - Inclusion of a water feature

Have Your Say Quick Poll

The 'Have Your Say' Quick Poll was established in the second round of consultation in response to concerns raised about the surveys for the Draft Conjola Connected Communities

Masterplan and Draft Yooralla Bay Concept Plan. Specifically, that those surveys did not allow the responder to answer with ‘that they did not support the Draft Plan’ and discontinue with the survey. The survey sought feedback on whether the community believed improvements more generally should be made to the Conjola area, or not.

- 75% of responses indicated their support for improvements, with 27% indicating they did not believe the area required improvements
- Improvements suggested included:
 - Permanent opening of the Lake
 - Upgraded Boat Ramp at Conjola Park
 - Bike track connecting Conjola Park and Lake Conjola
 - Picnic shelters
 - Toilet facilities
 - Community garden
 - Improvements as per the Draft Plans
- Common themes of what survey participants liked most about the Conjola area included:
 - Natural environment associated with the area particularly the Lake, wildlife, bushland area / National Park, beach
 - The area is peaceful, safe and family-friendly
 - Community
 - Limitations on future development
 - Recreation opportunities associated with the natural environment including fishing, walking, swimming, and boating

Written submissions

A total of 42 written submissions (5 of the submissions were additional submissions to those received from the 1st round) were received during the first and second consultation periods, 1 of the submissions was a group submission with 22 signatures and 1 being a petition with 103 signatures. Two submissions were also received from representatives from the Local Emergency Management Committee, and the National Parks and Wildlife Services.

The key issues in the written submissions are summarised below. Detailed summary of the submissions is provided in **Attachment 3**.

- Components of the Draft Conjola Connected Communities Masterplan are well thought out
- Further investigations will need to be undertaken in relation to the works to minimise impact on the environment
- Generally, shared pathways / bikeways were suggested as a good idea and complementary to the area. Other elements in the Draft Conjola Connected Communities Masterplan which were identified as good ideas were the inclusion of an exercise area at the Lake Conjola Community Hall
- A number of submissions raised the need for the Havilland Street Boat Ramp and were concerned that the progression of that project would be halted by these Draft Plans. This however is not the case as Council are progressing with the delivery of this project with assistance of grant funding
- Within the Draft Yooralla Bay Concept Plan, the most well received components related to the playground area and provision of a memorial garden. These embellishments were considered to be in line with use of the park predominantly for the local residents and were seen to improve the useability of the space and not overcrowd it. Despite this, some submissions did not wish to see any additional recreation facilities included in this area. The addition of picnic and BBQ facilities in this area was noted as being worth considering

- The community facility identified in the Draft Yooralla Bay Concept Plan raised significant concerns, specifically:
 - The building is out of character and will cause significant impact to the immediate residential area in relation to amenity, light spill, acoustic, visual, privacy, environmental and traffic / car parking
 - The building is incompatible with the foreshore. Amenities as proposed are better placed adjacent to the existing playground
 - The building is inappropriate for a bushfire evacuation centre. This location was inaccessible during the recent bushfires and should not be utilised in bushfire emergencies
- The group submission received was largely related to Module F Conjola Bikeway which is identified in the Draft Conjola Connected Communities Masterplan. The submission generally supports the Draft Conjola Connected Communities Masterplan with the exception of the deviation onto Aney Street and via the foreshore. The issues raised relate to the narrow width of the reserve, incompatibility with this location, and potential safety and amenity impacts. An alternative suggestion is to continue the bike path to the east along Lake Conjola Entrance Road down to the Boat Ramp. A number of other individual submissions object / raise concerns with this aspect of this module.
- An objection was received in relation to the skate park which raised concerns with its location which on the plans appeared to be in front of the Lake Conjola Waterfront Holiday Park. Concerns raised in relation to the skate park related to safety / security, parking impact, heritage impact on the heritage cabins at the Lake Conjola Waterfront Holiday Park, social impact, lack of amenities in this location and environmental impact on native wildlife. During subsequent conversations with this submitter, the location was clarified, being at the Lake Conjola Community Hall, and the submitter advised that their concerns were resolved.
- Incompatibility of many components of the masterplan based on its natural setting and flooding affection of the land.
- Timing of consultation is inappropriate as community members who lost homes during the fires are still recovering and are focusing on their rebuild. Concern about the lack of sensitivity of this proposal and whether the facilities proposed would actually be used.

Petition

The petition received from Conjola residents was signed by 103 residents. The petition sought to have:

- Council reconsider the plans for the park at Hoylake Grove
- Council communicate directly with all Conjola residents of any upgrades to the park at Hoylake Grove and the Conjola area
- Council take into consideration the impact to the residents, environment, additional traffic and ensure Conjola Park does not become another tourist destination spot
- Council to ask the residents what they want, not tell the residents what they need
- Concluded that signatories do not accept the masterplans being submitted on the behalf of the Conjola Park residents

Local Emergency Management Committee

Two Committee members from the Local Emergency Management Committee (LEMC) provided submissions; these were from Resilience NSW and Shoalhaven City Council – Environmental Services. The submission was provided in response to a request for advice in relation to the Community Building and references made in the Draft Concept Plan to it being a 'refuge', 'assembly point' and providing 'storage / services during an emergency'. The submissions stated:

- There may be confusion from the community as they may understand this to be an 'Evacuation Centre'
- Evacuation centres can only be pre-identified by the LEMC based on audits of the facility against set criteria
- Establishment, management and provision of essential support services is the responsibility of a Welfare Services Functional Area which can only be established upon the request and authorisation of the NSW Police or Combat Agency
- Assembly points / areas are generally chosen by the Combat Agency in consultation with NSW Police. If this is to be considered as a Neighbourhood Safer Place (Place of Last Resort), RFS must be consulted and they would need to approve / refuse
- The site is not appropriate for evacuation during flood emergencies as it located in a High Hazard Flood Storage category

National Parks and Wildlife Services

The submission from National Parks and Wildlife Services raised concerns with the proposals within the Conjola National Park and Narrawallee Creek Nature Reserve, which include items identified in the Draft Conjola Connected Communities Masterplan:

- Walking track and bike track on the lake foreshore from Fishermans Paradise to West Lake Conjola
- Mountain Bike Playground, walking tracks and fishing platforms east of Havilland St
- Walking Track network west of Evans St
- Mountain biking and a bush track network in the Narrawallee Creek Nature Reserve
- The public exhibition of the draft plans is likely to establish community expectations that may not be possible or permissible
- Both Conjola National Park and Narrawallee Creek Nature Reserve are environmentally significant, protecting not only natural but cultural heritage. The reserves also contain many threatened species and ecologically endangered communities. Furthermore, much of the land in the reserves proposed for development is steep with shallow soils very susceptible to erosion. For these reasons, the proposals contained in the masterplan may not be suitable within these parks
- Both the Conjola National Park and The Narrawallee Creek Nature reserve have existing Plans of Management (POM) which dictate the permissibility of certain activities in these reserves. No operations can be undertaken in a park unless those operations are in accordance with the plan of management
- The Conjola National Park POM recognises the fragility of the lake foreshore and the environmental and social values of having an undisturbed foreshore. The plan states: "Since the main attraction of the lake foreshores is their naturalness and because of the lack of vehicle access, no visitor facilities will be constructed around Conjola Lake, apart from signposting which may be necessary for environmental protection reasons"
- If any additional development is to occur within these reserves, it would require amendments to the plans of management and would require detailed environmental and cultural heritage assessment.

Funding

Council have recently been notified of a successful grant application of \$165,000 from the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications via the Local Roads and Community Infrastructure Program. This program was established as part of the Federal Governments COVID Stimulus. Council will need to co-contribute \$35,000 which can be sourced from an existing City Lifestyles Budget.

The works include components of the Draft Yooralla Bay Concept Plan including a pathway from Hoylake Grove to the new playground, seating, and picnic and BBQ facilities.

Community members are currently working with Council staff to establish a Parkcare group at Hoylake Grove park to develop a garden.

Separate to Council, the Conjola Community Recovery Association has been raising funds to deliver some of these works. It is understood that further funds have been ‘pledged’ to the CCRA conditional on aspects of the plan proceeding. Subject to adoption by Council, it is intended to continue liaising with the CCRA on the use of funds that they have received through their fundraising activities and through donations towards elements of the Master and Concept Plans that are supported by the community.

Next Steps

Based on the submissions received and surveys completed, it is clear that there are a range of different opinions in relation to the proposed infrastructure improvements which should be delivered in the Conjola area. There are clear sections of community who wish to maintain the infrastructure provisions as is, whilst a number of community members who participated in the consultation process indicated that there is a palette for some improvement, however not to the extent that is detailed in the Draft Plans as exhibited. Given the ongoing trauma and sensitivity of the community since the bushfires and other occurrences of 2020, including flood emergencies and COVID, it is recommended that Council do not adopt the Draft Master and Concept Plans.

However, it is recommended that select infrastructure improvements that are identified in the Draft Plans are endorsed by Council and that Council advocate for funding to deliver these embellishments. These include:

- Conjola Park improvements at Hoylake Grove Park:
 - Memorial Garden and seating as identified in the Draft Concept Plan.
 - Footpaths from Hoylake Grove to and around Playground. This is not identified in the Draft Concept Plan; however, these works complement the recent delivery of the new playground and are grant funded under the Local Roads and Community Infrastructure Program
 - Shade/Shelter near the existing playground. This is not identified in the Draft Concept Plan; however, these works complement the recent delivery of the new playground, were mentioned in several submissions / survey responses and are grant funded under the Local Roads and Community Infrastructure Program
 - Accessible BBQ and picnic facilities. This is not identified in the Draft Concept Plan; however, these works complement the recent delivery of the new playground, were mentioned in several submissions / survey responses and are grant funded under the Local Roads and Community Infrastructure Program
- Lake Conjola improvements:
 - Bikeway at Lake Conjola along Lake Conjola Entrance Road. This is generally consistent with Module F in the Draft Masterplan; however, it is recommended that the identified route be amended to continue east to the boat ramp along Lake Conjola Entrance Road without the deviation at Aney Street. It is noted that this is already identified and is consistent with Council’s Pedestrian Accessibility and Mobility Plan.

Financial Implications

The delivery of the components in both the Draft Conjola Connected Communities Masterplan and Draft Yooralla Bay Concept Plan is largely unfunded, with the exception of the grant funding received under the Local Roads and Community Infrastructure Program of

\$165,000, which Council will need to co-contribute \$35,000. The co-contribution can be funded from an existing City Lifestyles Budget. Council will work with the community to deliver embellishments at Hoylake Grove to the value of \$200,000.

It is proposed that Council staff continue to liaise with the Conjola Community Recovery Association on the potential to use funds they have raised towards the delivery of elements of the project.

SA21.24 Bomaderry Sporting Complex - Security Measures

HPERM Ref: D20/520536

Department: Shoalhaven Swim Sport Fitness
Approver: Jane Lewis, Director - City Lifestyles

Attachments: 1. Images of Clubhouse - Bomaderry Sporting Complex [↓](#)

Reason for Report

To outline options and funding for security measures at Bomaderry Sporting Complex clubhouse.

Recommendation

That:

1. Council install security gates on all undercover areas of Bomaderry Sporting Complex clubhouse, funded from the Recreational Buildings Operational Budget.
2. In accordance with Council Minute MIN20.584 Part (2), \$1,500 be allocated from the unallocated donation vote to support the installation of these security gates.

Options

1. Adopt the recommendation as written.

Implications:

- Aligns with the sporting-group's request and Council's risk assessment
- Can be funded from current operational budgets
- May reduce risk of anti-social behaviour

2. Council install CCTV and security gates at the Bomaderry Sporting Complex clubhouse, located on the football grounds, funded from Sportsgrounds & Recreational Buildings Operational Budgets.

Implications:

- Is in excess of the sporting-group's request and Council's risk assessment
- Can be funded as a one-off from current operational budgets
- May reduce risk of anti-social behaviour
- CCTV equipment may be at risk of vandalism
- Council will incur ongoing costs to maintain CCTV equipment and software
- May create an expectation for CCTV installation at other community facilities, increasing operational costs and staffing resources required to manage sportsgrounds

3. Council provide alternate direction.

Background

A Notice of Motion “Supporting the Bomaderry Swamp Rats” was presented to Council’s Strategy & Assets meeting held on 11 August 2020, the recommendation of which follows:

1. *The CEO (Director Finance, Corporate & Community Services) prepare a report back to Council outlining the following:*
 - a. *Cost for installation of CCTV around the Club house*
 - b. *A budget source be identified for the installation of CCTV*
 - c. *Any immediate measures that can be taken to improve the security around the sporting complex*
2. *Council donate \$1500.00 from the unallocated donation fund to assist to cover the costs from the break in.*

Accordingly, at its Ordinary Meeting of 25 August 2020, Council resolved to investigate measures to improve the security at Bomaderry Sporting Complex, as follows:

RESOLVED (Clr Wells / Clr Proudfoot)

MIN20.584

That:

1. *The CEO (Director City Lifestyles) prepare a report back to Council outlining the following:*
 - a. *Cost for installation of CCTV around the Club house*
 - b. *A budget source be identified for the installation of CCTV*
 - c. *Any immediate measures that can be taken to improve the security around the sporting complex*
2. *Council donate \$1500.00 from the unallocated donation fund to assist to cover the costs from the break in.*
3. *The report examine the options for seed funding and the use of Council’s contribution for that purpose.*

CARRIED

CCTV Installation

Two quotes have been obtained to supply and install:

- 3 x Hikvision Dome 6MP Cameras
- 1 x 4 port channel Network Video Recorder (NRV)

Equipment would be installed in the following locations at Bomaderry Sporting Complex clubhouse:

- Canteen
- Store Room
- Outside store room

As no internet service is available at the facility, the system would store recordings on-site, to be accessible by Police only, as required. Club members would not have access to the footage.

Cost estimates obtained were:

- One quote for 3 cameras and NRV for \$2,649.62
- One cost estimate for 2 cameras and NRV of \$3,436.30

These expenditures could be funded from the Sportsgrounds Operational Expenses Budget 2020/21. However, an alternative measure is recommended by both sporting clubs regularly using the facility, and in alignment with Council's recent safety audit.

Proposed Immediate Security Measures – Security Gates

Initial discussions regarding security at Bomaderry Sporting Complex proposed the installation of CCTV cameras at the clubhouse. CCTV can act as a deterrent to anti-social behaviour and may provide Police with assistance in identifying perpetrators. Individuals can, however, circumvent the equipment by obscuring their faces or covering the cameras. In a relatively isolated location such as Bomaderry Sporting Complex, in which the clubhouse ceiling height is low, the equipment is at high risk of vandalism.

Council staff have undertaken a risk assessment incorporating Safety by Design principles at the sporting complex. Staff consulted with CCTV providers, along with Bomaderry Swamp Rats and Bomaderry Cricket clubs, during October and November 2020.

Bomaderry Swamp Rats have suggested that a preferred approach would be to review the current layout of the building and address usability issues. Both Clubs have agreed with the recommendation to install security gates to restrict the use of covered areas at the clubhouse, and to defer CCTV installation.

The following security measures are supported by both Clubs. Measures 2 and 3 below have been implemented by Council staff and Measure 4 will follow installation of Measure 1 the security gates:

1. The clubhouse and sportsground have limited passive surveillance. Disabling access to the undercover areas of the clubhouse will inhibit casual use of this area and reduce anti-social behaviour at the facility.

Photographs of the clubhouse show three locations where gates could be installed to restrict access to secluded areas (Attachment 1). The club requests that:

- The north-facing covered area of the clubhouse be secured with a series of double gates which can be opened on game days, completely activating the space for players and spectators
- Security gates be placed on both the male and female amenities on the south-facing wall of the building

Cost estimates have been obtained for installation of security gates, as noted in the Financial Implications below.

It is anticipated that the installation of gates will assist in addressing the security issues which have arisen to date, and recommended that installation of CCTV be deferred, pending consideration of any further issues arising at the facility.

2. Council display NSW Police Assistance Reporting Line information and details at the site.
3. Council contacts the Nowra Police and Council Rangers to request both organisations increase patrols of the sportsground over the next 12 months.
4. Liaise with all user-groups at the facility to review the outcomes of the recommendation and continue to implement additional safety measures as required.

Community Engagement

Council staff consulted with Bomaderry Swamp Rats and Bomaderry Cricket Club during October and November 2020, to review security options at Bomaderry Sporting Complex. All parties were in agreement with the security measures recommended, and not to progress with the installation of CCTV at this time.

Policy Implications

The proposal to install security gates aligns with Council's current Sportsground Management Policy and strategic direction.

Financial Implications

Bomaderry Swamp Rats Club thanks Council for its \$1,500 donation towards costs, and has requested that these funds be allocated to the installation of security gates, resulting in the following funding options in this report:

Option 1

- Manufacture and installation of security gates is estimated to cost in the order of \$10,000.
- \$1,500 sourced from Council's Unallocated Donations Budget
- The remaining \$8,500 sourced from Council's Recreational Buildings Operational Budget 2020 / 21.

Option 2

- Costs and budget allocation as per Option 1, plus:
- \$2,649.62 for 3 CCTV cameras and NRV, to be sourced from the Sportsgrounds Operational Expenses Budget 2020 / 21

Risk Implications

Council staff have undertaken a risk assessment incorporating Safety by Design principles at the Bomaderry Sporting Complex.

Recent incidents have highlighted a security risk at the facility due to the site's isolation and current layout of the sportsground building. Security gates may reduce the risk of anti-social behaviour.

CCTV equipment is at high risk of vandalism at isolated locations.

At time of writing of this report, there have been no further acts of vandalism occurring within this sporting precinct.

Attachment 1. Images of Clubhouse – Bomaderry Sporting Complex

Northern face of the clubhouse building



Proposed gates will follow the line of shadow, restricting access to all undercover areas



Gates proposed for each amenity on the southern face of the clubhouse building



SA21.25 Marriott Park Master Plan - Review of Alternate Car Parking Proposal

HPERM Ref: D21/9558

Department: Community Connections

Approver: Jane Lewis, Director - City Lifestyles

Attachments: 1. Adopted Marriott Park Masterplan and Supporting Images [↓](#)
2. Summary of Submissions [↓](#)

Reason for Report To inform Council on the consultation and investigations undertaken on the Proposed Amendment – Marriott Park Master Plan and to seek direction on the car parking options within Marriott Park.

Recommendation (Item to be determined under delegated authority)

That Council:

1. Accept the investigations and consultation in relation to the Proposed Amendment – Marriott Park Master Plan.
2. Retain the car park as per the adopted Marriott Park Master Plan, however, provide measures to minimise the impact on the Parkhaven Motel and their guests, including:
 - a. Delete at least 7 spaces from the southern end of the car park to reduce the number of car parking spaces immediately adjacent to the eastern boundary of the Parkhaven Motel.
 - b. Investigate the potential to increase parking spaces on Douglas Street.
 - c. Lighting to be mounted on smaller height pole, fitted with glare and spill shields, and use globes with the lowest required lumens.
 - d. Include further plantings along the Parkhaven Motel boundary to screen the rooms facing the park.
3. Update the Marriott Park Master Plan to include the proposed amendments noted in Part (2) and adopt the revised Plan.
4. Write to the key stakeholders to advise them of this resolution.

Options

1. Adopt the recommendation.

Implications: This will allow development of a car park off Douglas Street to proceed with amendments to the Marriott Park Master Plan. These measures will have the least impact on open space and historical areas, as well as providing a car parking location that directly services the future playground and accessible amenities.

Whilst the recommendation involves providing 7 less spaces, the car park will still provide 18 spaces including 2 accessible spaces. This is 7 more than currently exists on site. The amendment will address the concerns raised by the Parkhaven Motel and ensure that the impact of the new car park is minimised on the Motel and their guests.

2. Adopt an alternative recommendation which involves further investigating the Proposed Amendment – Marriott Park Master Plan.

Implications: This will not meet the majority of the community's expectations, who provided input towards the Marriott Park Master Plan. Further investigations and design would be required, which would delay the timeline for delivering stage one of the Master Plan and incur additional costs which have not been accounted for. Initial investigations show that a car park in this location would result in impacts to traffic flows, pedestrian safety, and significant natural features within Marriott Park.

3. Not adopt the recommendation and investigate other parking options to service Marriott Park.

Implications: This will not meet the majority of the community's expectations, who provided input towards, and supported, the adopted Marriott Park Master Plan. Further investigations and design would be required, which would delay the timeline for delivering stage one of the Master Plan.

Background

At Council's Strategy and Assets Committee meeting on 21 July 2020, the Marriott Park Master Plan was finalised and adopted by Council (MIN20.489). The final Master Plan is the result of consultation with the community and surrounding stakeholders, which determined how Marriott Park was used, and the aspirations for the future.

The car parking provisions in the adopted Master Plan provide a car park and entry off Douglas Street, which builds over the existing culvert to utilise unused space. See Figure 2 and 3 in Attachment 1.

Since the adoption of the Masterplan, a Notice of Motion was considered by Council on 10 November at the Strategy and Assets Committee meeting.

Council resolved (MIN20.818) that:

1. *The Marriott Park Master Plan be further reviewed as per the diagram below and be readvertised to relevant stakeholders.*
2. *A further report be prepared by Staff for the consideration of the Council following readvertising of the revised master plan.*

As a result of the above resolution, Council staff readvertised this proposal to relevant stakeholders, as well as seeking feedback from internal sections of Council.

The Notice of Motion (MIN20.818) was in response to concerns raised by the adjacent Parkhaven Motel with respect to location of the car park, and the potential adverse impact by the development. The Notice of Motion included a proposal to investigate an alternate car park location and entry off Kinghorne Street, to the north of The Church of Jesus Christ of Latter-Day Saints as shown in *Figure 1* below.



Figure 1 – Proposed Amendment as per NoM – Marriott Park Master Plan

Community Engagement

In accordance with the Notice of Motion and Council resolution (MIN20.818), Council readvertised the *Proposed Amendment – Marriott Park Master Plan* which outlines the proposed car park location to relevant key stakeholders who were considered to be directly impacted by the change. These stakeholders being:

- Parkhaven Motel
- Church of Latter-Day Saints
- Nowra Girl Guides
- 104 & 108B Douglas Street
- 97 Kinghorn Street (TLE Electrical)
- Variety – The Children's Charity NSW/ACT
- Marriott Camellia Park Care Group

During the consultation with the key stakeholders, Council staff met with a representative from the Parkhaven Motel. The meeting revealed that:

- The location of the car park on the Adopted Master Plan raised concerns in relation to light spillage onto the motel property and rooms which currently look onto the park; and increased congregation in the area / anti-social behaviour.
- Preference was towards the removal of lighting in the car park area, and provision of additional on-street car parking on Plunkett Street.
- Alternative locations / solutions:
 - On-street parking on Douglas Street; or

- Modify the existing / proposed car parking so that parking spaces are located north of the northern boundary of the motel site; however, would still continue to improve the car park in terms of its aesthetics and function.

Two other submission letters were received from the Marriott Camellia Park Care Group, and Variety – the Children's Charity. These submissions were in support of the adopted car park location off Douglas Street.

No other feedback was received from the other stakeholders. A summary of responses received is outlined in Attachment 2.

Review of Proposed Amendment – Marriott Park Master Plan

Council's Design Services investigated the potential of increasing parking spaces on Douglas Street and the technical implications of providing access to the carpark via Kinghorne Street.

Increased parking on Douglas Street

Based on an initial concept investigation 18 angled parking bays could be provided on the northern side of Douglas Street adjacent Marriott Park.



The implications of providing parking on Douglas Street include:

- It is close to the preferred park entrance, accessible amenities and playground area.
- It is not suitable as a long term option due to the proposed future ring road (a feature of the Nowra CBD masterplan). The proposed masterplan has shown some 90 degree angled parking adjacent the playground on Douglas Street, offset to comply, but its long term durability is subject to future assessment depending on timing and how much traffic the ring road will attract in future (which is totally dependent on access arrangements at the Highway yet to be tested). Because it is just a small number of spaces it is considered appropriate for it to be provided there at this stage.

Kinghorne Street access to the carpark

The proposed access to the carpark has been assessed against the following issues:

- Traffic impacts
- Sight distance
- Safe pedestrian access
- Policy

Traffic Impacts

When considering access to Marriot Park initially, the objectives were to minimise traffic impacts on the CBD road network and reduce parking impacts within the park to maximise space for both passive and active recreation activities. Kinghorne Street carries a significant proportion of traffic with approximately 10,500 vpd compared to Douglas St with approximately 1,250 vpd.

Providing access on Kinghorne Street would substantially increase traffic movements and pedestrian conflicts at an uncontrolled intersection where traffic and pedestrian volumes are much higher. There would also be additional substantial impacts due to the proximity to the signals on Plunkett St. Utilising the roundabout provided at the intersection of Douglas and Kinghorne is a much safer option for access to the park via Douglas St.

Sight Distance

To provide adequate sight distance for two way access on Kinghorne St, there would also be a loss in on-street parking where we already have a net deficiency in parking across the CBD. The access driveway would need to be in the order of 6-9m wide and provide 69m for desirable safe sight distance (45m minimum) according to standards; this would result in a loss of approximately 7-10 on-street car parks, which is undesirable for the businesses in the area. A significant fig tree is located at the proposed access which need to be removed.

If one-way access only was provided and 'entry only' was located on Kinghorne St, the driveway access could be reduced to around 3m and less parking removed for safe sight distances, resulting in parking losses of around 3-4 spaces, however the impacts internally would be considerably more. A one-way access would mean an internal circulating road is required, and would be up to 3.9m wide in order to provide a loop access to exit via Douglas St. This would sacrifice space and amenity for recreation activities particularly impacts/losses to the memorial heritage gardens, Community Hall and central gazebo. This also impacts the connecting path network around the pond, reducing the preference of using the park as a destination as opposed to walking through, this was considered important in Councils strategic review.

Safe Pedestrian Access

In addition reference to AS2890.1: Off-Street Car Parking also requires consideration of the following:

- *"the need for traffic to move to and from the frontage road with minimum disruption to through traffic and maximum pedestrian safety" (Section 2.3.1)*
- *"to keep conflicts between frontage road traffic and car park traffic to an acceptable minimum" (Section 3.2.3)*

There are significantly more access points on Kinghorne St to businesses and other important destinations including, a youth centre, safe shelter, Nowra Museum and the Police Station, so pedestrian conflicts would also be significantly increased.

Policy

Council's DCP (G21:Car Parking and Traffic) stipulates the following:

- *for all development that has frontage to more than one road, access is to be provided to the lower order, lower traffic volume road. (A10.5)*
- *vehicular entrance shall demonstrate satisfactory provisions for pedestrian safety, considering the anticipated volume of both vehicular and pedestrian traffic. (A10.9)*

To determine the type, width and location of access facilities, AS2890.1 (Section 3.1.2 (b)) categorises accesses according to the class of parking and number of parking spaces but in particular "the frontage road type, either **arterial (including sub-arterial)** or **local (including collector)**". Referencing Table 3.1 Selection Of Access Facility Category (Note 2):

- *This Table does not imply that certain types of development are necessarily suitable for location on any particular frontage road type. In particular, **access to arterial roads should be limited as far as practicable.***

Kinghorne Street is a sub-arterial road as it links the Princes Highway and MR92 to Nowra CBD, and given an alternative practical existing access to Douglas Street is provided, by definition, pursuant to above standards **there should be no access to Kinghorne Street.**

The existing park off Douglas Street, as per the adopted Master Plan, is a suitable location for Marriott. It is adjacent to the upcoming "Variety Livvi's Place Inclusive Playground", accessible amenities and picnic shelters, all are which are the main traffic generators. This location provides minimum impact on the park to maximise open areas and space.

Historical and Natural

Camellia Garden

The proposed car park off Kinghorne Street occupies the current location of the historic camellia garden within Marriott Park. This garden contains twenty-four Camellia trees, which were relocated to Marriott Park from the original Camellia Gardens on Bomaderry Creek. Some of these trees have historical significance to this region and are listed on the National Camellia Register.

The removal of the Camellias from this area could be detrimental to their survival if they must be relocated to another section of the park. These concerns are outlined in the submission from the Marriott Camellia Park Care Group.

Fig Tree

There is a large Moreton Bay fig tree located in the south-west corner of Marriott Park, adjacent to the Church car park and Kinghorne Street. The fig tree sits approximately 11m from the site boundary. The gap between the fig tree and the boundary is the point of entry for the proposed car park off Kinghorne Street.

A tree assessment was conducted on the fig tree, which determined that it is a significant asset to Marriott Park. The proposed car park entry falls within the tree protection zone, and it has been determined that in order to not impact the tree, vaulted construction of the entry would require to be investigated so that the roadway did not impact the root system. Several limbs would require to be removed in order to allow vehicle access to a clearance of 4.6m.

The construction of an entry within the protection zone of this fig tree is not advised, as the tree will be adversely impacted during construction and ongoing use. The construction of a driveway and car park as per the Proposed Amendment is likely to adversely impact the fig tree and threaten its survival.

Way Forward

Based on the submissions received and the review of the proposed Amendment, it is recommended that Council proceed with the adopted Marriott Park Master Plan with some changes to the car parking area to address concerns in relation to the Parkhaven Motel, and improve the operation of the car park and Marriott Park generally. The following reasons are provided in support of this recommendation.

Plantings

The adopted Marriott Park Master Plan includes retaining plantings along the boundary of the Parkhaven Motel, providing a screen to the new car park off Douglas Street. Further plantings on the boundary are recommended to be investigated and delivered to provide additional screening of the car park.

Lighting

The lighting of the car park will use less obtrusive lighting measures, to minimise impact to the nearby Parkhaven Motel. Council's Electrical Engineer has advised that these measures will include:

- Light fittings to be mounted on a smaller height pole, reducing the amount of lighting spill.
- Glare and spill shields to be engineered onto the fitting to direct lighting towards desired areas.
- Less powerful lights to be used, with lower lumens.

Parking spaces

The car parking provisions in the adopted Master Plan provide a car park and entry off Douglas Street with 25 parking spaces, including 2 accessible spaces. As an alternative solution, it is recommended that at least 7 spaces be deleted from the southern end of the car park to reduce the number of car parking spaces immediately adjacent to the eastern boundary of the Parkhaven Motel. This will reduce the number of parking spaces from 25 including 2 accessible spaces, to 18 spaces including 2 accessible spaces. Whilst this reduces the number of parking spaces, a net increase in spaces to the current car park is maintained. It is also recommended to further investigate additional parking spaces on Douglas Street.

This will reduce the amount of potential congregation in the car park adjoining the Parkhaven Motel and aims to address concerns raised.

Safer by Design

The NSW Police Force endorsed "Safer by Design" principles have been incorporated into the design of the Marriott Park Master Plan. The Master Plan aims to increase passive surveillance by increasing sight lines, lighting, and overall activation of the park. These measures are proven to increase safety and reduce incidents of crime and antisocial behaviour.

The Parkhaven Motel have reported current incidents of anti-social behaviour in the area of the adopted car park. This may likely be due to the area having poor lines of sight and lighting. Council staff predict that the upgrades to this site will reduce incidents of antisocial behaviour, rather than increase them.

Proximity to amenities and playground

Investigations on the usage of Marriott Park revealed a large percentage of visitation was to the playground area in the south of the park. The adopted car park has been located within close proximity to this facility to improve access for visitors.

Relocating the car park as per the Proposed Amendment will increase distances between the playground and the car park, which may encourage visitors to utilise closer on street parking, presenting higher levels of risk compared to off-street parking. It is also noted that the

accessibility of the park will be reduced by relocating the accessible car parking away from the amenities building which will include accessible bathrooms.

Policy Implications

Past Council Resolutions

At Council's Strategy and Assets Committee meeting on 15 November 2016, a Notice of Motion was received due to Marriott Park being proposed as a possible site to investigate as a short-term parking option for the Nowra CBD. The main issues discussed were the possible impacts to the history of Marriott Park, as well as the loss of public open space in the Nowra CBD. As a result, it was resolved (MIN16.853):

That Council abandon its plan to develop an all-day car park within the grounds of Marriott Park.

Since this resolution, Council staff met on site to discuss parking options for users of Marriott Park. It was decided that the most practical car parking option for park users was to build a car park over the existing exposed culvert, with an entry off Douglas Street. This option was decided as it does not impact any useable open space or any historical areas. This option is now reflected in the adopted Marriott Park Master Plan.

Development Control Plan (DCP)

Council's DCP (G21 - Car Parking and Traffic) stipulates the following:

- "For all development that has frontage to more than one road, access is to be provided to the lower order, lower traffic volume road." (A10.5)
- "Vehicular entrance shall demonstrate satisfactory provisions for pedestrian safety, considering the anticipated volume of both vehicular and pedestrian traffic". (A10.9)

The proposed car park location with entry off Kinghorne Street does not satisfy these controls in the DCP, in comparison to the adopted car park off Douglas Street.

Australian Standards

In reference to AS2890.1: Off-Street Car Parking also requires consideration of the following:

- "The need for traffic to move to and from the frontage road with minimum disruption to through traffic and maximum pedestrian safety" (Section 2.3.1)
- "To keep conflicts between frontage road traffic and car park traffic to an acceptable minimum" (Section 3.2.3)

The adopted car park off Douglas Street satisfies these Australian Standards to a higher degree in comparison to the proposed car park option.

Financial Implications

The Marriott Park Master Plan was developed utilising the Forward Design budget in the City Lifestyles Directorate. This budget will meet the costs associated with progressing the detailed design aspects of the project subject to Council adopting the proposed way forward.

In order to proceed, the adopted Marriott Park Master Plan will be updated to include some changes to the car parking area to address concerns in relation to the Parkhaven Motel, and improve the operation of the car park and Marriott Park generally. This will be funded from within existing budgets.

Supporting Images - Marriott Park Master Plan - Review of alternate car parking proposal

Strategy and Assets Committee - 09 February 2021

Figure 1 – adopted car park location as per the Marriott Park Master Plan

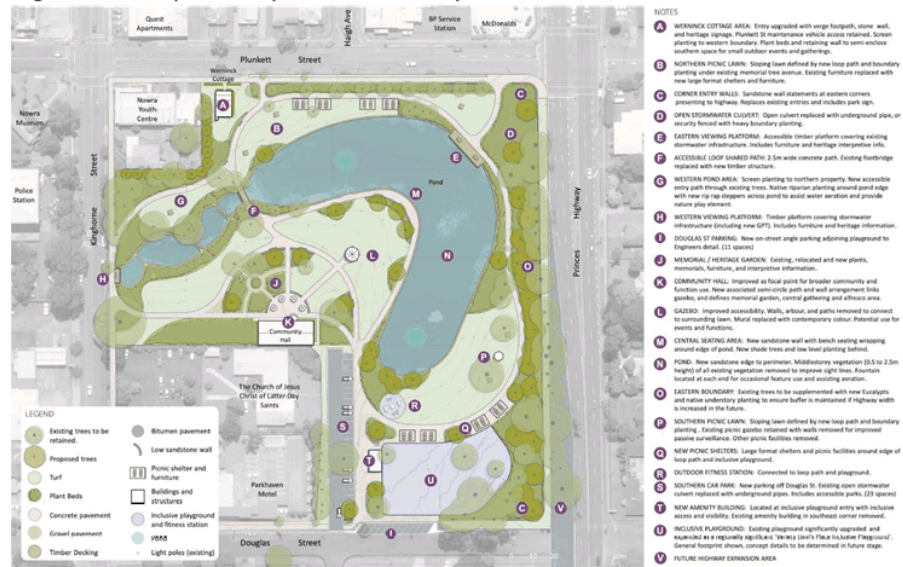


Figure 2 & 3 – Site of the adopted car park off Douglas street, building over the existing culvert.



Figure 4 – Trees in front of the Parkhaven Motel to be retained



Figure 5 – Entry location of the proposed car park off Kinghorne Street



Figure 6 & 7 – Site of the proposed car park off Kinghorne Street, requiring removal of the historic camellia garden



Summary of Submissions

Proposed Amendment - Marriott Park Master Plan

Stakeholder	Key points raised
Parkhaven Motel	<ul style="list-style-type: none"> • Light spillage from the adopted car park will impact guests in rooms overlooking the park. • The car park will increase congregations and antisocial behaviour. • The area is used as a pedestrian thoroughfare to the CBD, which is the cause of current issues. These issues are likely to increase. • Preference was towards the removal of lighting in the car park area, and provision of additional on-street car parking Plunkett Street. • Alternative locations / solutions: <ul style="list-style-type: none"> ○ On-street parking on Douglas Street; or ○ Modify the existing / proposed car parking so that parking spaces are located north of the northern boundary of the motel site, however, would still continue to improve the car park in terms of its aesthetics and function.
Marriott Camellia Park Care Group	<ul style="list-style-type: none"> • The revised car park location off Kinghorne Street occupies the space of the existing historic camellia garden. • The camellias in this space have historical significance and are listed on the National Camellia Register. They are unlikely to survive relocation. • The Moreton Bay fig tree at the entrance of the proposed car park entry would be impacted and may become unstable. • The car park within the adopted Master Plan is preferred.
Variety – The Children's Charity	<ul style="list-style-type: none"> • Extensive community engagement has informed the current plans. • An identified barrier to inclusion was the need for close sufficient parking to a playspace, with accessible pathways. • The car park within the adopted Master Plan is preferred.

SA21.26 Tenders - Stage 2 Works - St Anns Sewer Rising Main Replacement

HPERM Ref: D21/23879

Department: Water Asset Planning & Development

Approver: Robert Horner, Executive Manager Shoalhaven Water

Reason for Report

To inform Council of the tender process for Stage 2 Works – St Anns Sewer Rising Main Replacement project.

In accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, some information should remain confidential as it would, if disclosed, prejudice the commercial position of the person who supplied it. It is not in the public interest to disclose this information as it may reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person and/or prejudice any person's legitimate business, commercial, professional, or financial interests. This information will be considered under a separate confidential report.

Recommendation (Item to be determined under delegated authority)

That Council consider a separate confidential report in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, in regard to the tender for Stage 2 Works – St Anns Sewer Rising Main Replacement.

Options

1. Accept the tender as recommended

Implications: This is recommended as the project will address ongoing problems encountered with the existing St Anns Rising Main. Due to its poor condition, the main is determined to be at the end of its service life, it has failed in several locations in recent times. The replacement of the aged existing main will reduce the risk of adverse impact to the environment and public health.

2. Council could elect not to accept the recommendation and continue with current status.

Implications: The risk of unplanned leaks from the existing St Anns Rising Main would not be reduced, and the main will continue to experience regular failures due to its poor condition.

3. Council could choose not to accept the recommendation and select a different procurement approach, giving reasons.

Implications: This is not recommended as an extensive tender evaluation process has been undertaken comprising price and non-price criteria in accordance with the Tender Evaluation Plan.

Details

St Anns Sewer Pumping Station is located at the western end of St Anns Street Nowra and pumps wastewater collected from its large catchment to the Nowra Wastewater Treatment

Plant via a 300mm diameter asbestos cement (AC) pressure main, and a section of 450mm diameter polyethylene main, constructed by Shoalhaven Water in 2019. The existing AC section of the main has failed in several locations in recent times and a program of works has been proceeding to renew the (approximately) 3 km long rising main in stages.

The key objectives of the St Anns Rising Main Replacement Project are to:

- Replace ageing infrastructure that is at significant risk of failure or nearing the end of its service life; and
- Support the planned growth and development of the western outskirts of Nowra (eg Mundamia URA).

In order to reduce the risks associated with this pipeline system, Shoalhaven Water prepared a detailed design for the staged upgrade of the St Anns Rising Main (refer Figure 1 below), with the proposed overall strategy detailed below:

1. Stage 1 Works (*Currently being undertaken internally by Shoalhaven Water*):
 - a) Construction of a new 560mm dia polyethylene (PE) pipe (circa 715m) along St Anns Street.
2. **Stage 2 Works (*The subject of this report, and proposed to be constructed externally by Civil Contractor*):**
 - b) Construction of a new 560mm dia PE pipe (circa 505m) along St Anns Street and Wallace Street.
3. Stage 3 Works (*Proposed to be undertaken internally by Shoalhaven Water*):
 - c) Construction of a new 560mm dia PE pipe (circa 1020m) through Lyrebird Park Sports complex and Wondalga Farm.

Figure 1 St Anns Rising Main Replacement - Staging Plan



SA21.26

A Tender Evaluation Plan (TEP) consistent with the Conditions of Tendering was prepared by the Tender Evaluation Committee (TEC) prior to evaluation of tenders.

All TEC members were to disclose any current associations with any of the tenderers or their companies, or any other circumstances that could lead to a conflict of interest. No conflicts of interest were recorded.

Tenders were invited from the existing Water and Sewer Mains Replacement Panel (2020-2024) via Tenderlink on 18 December 2020. Prospective tenderers were invited to attend a non-mandatory pre-tender site meeting on 7 January 2021.

Tenders closed at 10am on 20 January 2021 with a total of 4 (3 complying and 1 alternate) tenders received by the deadline. No tenders were received after the deadline.

Council is requested to consider the tender evaluation in the Confidential Report with a view to endorsing the recommended tenderer.

Tenders Received

Tenders were received from the following:

Tenderer	Location
Hisway Pty Ltd (Complying)	13A INVESTIGATOR STREET, NOWRA 2541
Hisway Pty Ltd (Alternate)	13A INVESTIGATOR STREET, NOWRA 2541
Murphy McCarthy Associates Pty Ltd	43 Hubert Street, Leichhardt, NSW, 2040
UEA Pty Ltd	25 Penelope Crescent, Arndell Park NSW, 2148

Details relating the evaluation of the tenders are contained in the Confidential Report.

Community Engagement

Extensive community and stakeholder consultation has been undertaken, with both the associated Review of Environmental Factors (September 2015) and subsequent Revised Review of Environmental Factors (June 2020) exhibited.

Additional community and stakeholder engagement prior to and during the construction is proposed, with a dedicated project website to be established under Council's 'Major Projects & Works' Portal.

The works are almost exclusively in existing easements, road corridor and Council land ownership.

Policy Implications

Procurement Policy – POL18/74 – The tender for this project has been undertaken in accordance with Council's Purchasing Policy. The recommendation for this report is consistent with the provision of Council's Purchasing Policy.

Financial Implications:

Adequate funds have been allocated in the sewer budget to complete the construction of the replacement main in 2020/21.

LOCAL GOVERNMENT AMENDMENT (GOVERNANCE & PLANNING) ACT 2016

Chapter 3, Section 8A Guiding principles for councils

(1) Exercise of functions generally

The following general principles apply to the exercise of functions by councils:

- (a) Councils should provide strong and effective representation, leadership, planning and decision-making.
- (b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Councils should work with others to secure appropriate services for local community needs.
- (h) Councils should act fairly, ethically and without bias in the interests of the local community.
- (i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.

(2) Decision-making

The following principles apply to decision-making by councils (subject to any other applicable law):

- (a) Councils should recognise diverse local community needs and interests.
- (b) Councils should consider social justice principles.
- (c) Councils should consider the long term and cumulative effects of actions on future generations.
- (d) Councils should consider the principles of ecologically sustainable development.
- (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

(3) Community participation

Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

Chapter 3, Section 8B Principles of sound financial management

The following principles of sound financial management apply to councils:

- (a) Council spending should be responsible and sustainable, aligning general revenue and expenses.
- (b) Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.
- (c) Councils should have effective financial and asset management, including sound policies and processes for the following:
 - (i) performance management and reporting,
 - (ii) asset maintenance and enhancement,
 - (iii) funding decisions,
 - (iv) risk management practices.
- (d) Councils should have regard to achieving intergenerational equity, including ensuring the following:
 - (i) policy decisions are made after considering their financial effects on future generations,
 - (ii) the current generation funds the cost of its services

Chapter 3, 8C Integrated planning and reporting principles that apply to councils

The following principles for strategic planning apply to the development of the integrated planning and reporting framework by councils:

- (a) Councils should identify and prioritise key local community needs and aspirations and consider regional priorities.
- (b) Councils should identify strategic goals to meet those needs and aspirations.
- (c) Councils should develop activities, and prioritise actions, to work towards the strategic goals.
- (d) Councils should ensure that the strategic goals and activities to work towards them may be achieved within council resources.
- (e) Councils should regularly review and evaluate progress towards achieving strategic goals.
- (f) Councils should maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.
- (g) Councils should collaborate with others to maximise achievement of strategic goals.
- (h) Councils should manage risks to the local community or area or to the council effectively and proactively.
- (i) Councils should make appropriate evidence-based adaptations to meet changing needs and circumstances.